

**CHAPTER 18.02 GENERAL PROVISIONS\*****Note to Chapter 18.02.**

\*Prior ordinance history: Ord. 3806.

**18.02.010 AUTHORITY -- TITLE.**

The provisions of this Title are adopted pursuant to authority of NRS Chapter 278 (Planning and Zoning) and may be referred to as the Subdivision Regulations of the City of Las Vegas. (Ord. 5275 § 1, 2000)

**18.02.020 APPLICABILITY.**

The provisions of this Title apply to all development of land within the boundaries of the City of Las Vegas. No application for the development of land, or for approval of a division or map under this Title, shall be approved unless the application is determined to be in conformance with the requirements of this Title and all applicable development regulations, including any standards, plans or policies that have been adopted so as to have a regulatory effect. (Ord. 5275 § 2, 2000)

**18.02.030 PURPOSE AND INTENT.**

The purpose and intent of this Title is to ensure that all development, division, and mapping under this Title occurs in conformance with State law; that such activity is consistent with the City's General Plan (Master Plan) and applicable development regulations, including any standards, plans or policies that have been adopted by the City Council so as to have a regulatory effect; that required on-site and off-site dedications and public improvements are properly installed or guaranteed; and that appropriate process is followed in the review and approval of applications made under this Title. (Ord. 5275 § 3, 2000)

**18.02.040 RULES OF CONSTRUCTION.**

In construing the language of this Title, the following rules shall be observed, unless the context clearly indicates the contrary or the construction would be inconsistent with the manifest intent of the City Council:

- (A) All provisions, terms, phrases and expressions contained in this Title shall be construed in favor of carrying out the intent of the City Council. Terms used in this Chapter, unless otherwise specifically provided, shall have the meanings set forth in NRS Chapter 278.
- (B) The provisions of this Title shall be deemed to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience and general welfare. Where any provision of this Title imposes a restriction upon the subject matter that differs from a restriction imposed by another provision of this Code, the provision imposing the greater restriction shall be deemed to be controlling.
- (C) The time within which an action is to be taken shall be computed by excluding the first day and including the last day. If the last day is a Saturday, Sunday or legal holiday, that day shall be excluded. Unless otherwise stated, the following time-related words shall have the meanings ascribed below:
  - (1) "Day" means a calendar day.
  - (2) "Week" means seven consecutive calendar days.
  - (3) "Month" means a calendar month.
  - (4) "Year" means a calendar year.
- (D) Whenever a provision of this Title requires the director of a department or some other City officer or employee to perform some act or duty, it shall be construed as authorizing the director of the department or other officer to designate, delegate and authorize professional-level subordinates to perform the required act or duty, unless the terms of the provisions or an applicable State statute specify otherwise.
- (E) Section and subsection headings contained in this Title are for convenience only and do not modify or limit the meaning or intent of any provision.
- (F) Words used in the present tense shall include the future, words used in the plural shall include the singular, words used in the singular shall include the plural and words of one gender shall include the other.
- (G) The words "shall," "must" and "will" are mandatory, and the word "may" is discretionary.
- (H) Conjunctions shall be interpreted as follows:
  - (1) "And" indicates that all connected items or provisions apply; and
  - (2) "Or" indicates that the connected items or provisions may apply singly or in any combination.

- (I) Words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases and others that may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.
- (J) References to “written” information shall mean any representation of words, letters or figures whether by printing or other form or method of writing. (Ord. 5275 § 4, 2000)

#### **18.02.050 ADMINISTRATION AND ENFORCEMENT – DIRECTOR OF PLANNING AND DEVELOPMENT.**

The Director of Planning and Development is responsible for the administration and enforcement of this Title. In connection with that responsibility, the Director shall have the authority to:

- (A) Accept and process applications under this Title;
- (B) Organize and maintain records associated with those applications;
- (C) Cooperate with the Director of Public Works in administering and enforcing this Title;
- (D) Conduct the necessary review of maps which have been submitted under this Title;
- (E) Verify compliance with all zoning and development requirements;
- (F) Adopt specifications and procedures relating to the administration of this Title;
- (G) Take action to approve, deny or otherwise act upon subdivision and other maps in accordance with the provisions of this Title;
- (H) Approve or deny administrative exceptions and waivers in accordance with the provisions of this Title;
- (I) Perform any other function described in this Title that is not otherwise assigned to a particular person or entity; and
- (J) Delegate, designate or assign to another person any function described in this Section or Title, except to the extent not permitted by law.  
(Ord. 5275 § 5, 2000)

**18.02.060 ADMINISTRATION AND ENFORCEMENT – DIRECTOR OF PUBLIC WORKS.**

The Director of Public Works is responsible for the administration and enforcement of any provisions of this Title that are assigned or delegated to the Director of Public Works by the provisions of this Title. In connection with that responsibility, the Director of Public Works shall have the authority to:

- (A) Act upon and process applications under this Title, to the extent assigned or delegated that responsibility;
  - (B) Cooperate with the Director of Planning and Development in administering and enforcing this Title;
  - (C) Administer or enforce any provision of this Title which has been assigned to the Director of Public Works;
  - (D) Conduct the necessary review of maps which have been submitted under this Title;
  - (E) Adopt specifications and procedures relating to the role of the Director of Public Works under this Title;
  - (F) Provide interpretations and references regarding applicable requirements for off-site improvements, rights-of-way, dedications, and drainage and traffic studies;
  - (G) Provide comments or other input to ensure the inclusion of appropriate survey data and related documentation;
  - (H) Approve or deny administrative exceptions and waivers in accordance with the provisions of this Title; and
  - (I) Delegate, designate or assign to another person any function described in this Section, except to the extent not permitted by law.
- (Ord. 5275 § 6, 2000)

**CHAPTER 18.04 DEFINITIONS****18.04.010 DEFINITIONS.**

The following terms, when used within this Title, shall have the meanings ascribed to them in this Chapter, unless the context clearly indicates otherwise. (Ord. 3806 §§ 8 (part), 9, 1994)

**18.04.020 ADT OR AVERAGE DAILY TRAFFIC.**

"ADT" or "average daily traffic" means the average number of motor vehicles per day that pass a given point. (Ord. 3806 §§ 8 (part), 10, 1994)

**18.04.030 ALLEY.**

"Alley" means a corridor for secondary access to a lot and may be either a private or public facility.  
(Ord. 3806 §§ 8 (part), 11, 1994)

**18.04.040 BENCHMARK.**

"Benchmark" means grade elevations as determined by standardized vertical ground controls established by the National Geodetic Survey, the City of Las Vegas or Clark County. (Ord. 3806 §§ 8 (part), 12, 1994)

**18.04.050 BLOCK.**

"Block" means a tract of land within a subdivision entirely bounded by streets or boundaries of the subdivision. (Ord. 3806 §§ 8 (part), 13, 1994)

**18.04.060 CITY STANDARDS.**

“City standards” means, in their most recent editions and with the most recent amendments adopted by the City, the Standard Drawings for Public Works Construction Off-Site Improvements, Clark County, Nevada, Uniform Standard Specifications for Public Works Construction Off-Site Improvements, Clark County, Nevada; Uniform Regulations for the Control of Drainage and Hydrologic Criteria and Drainage Design Manual, Clark County Regional Flood Control District; Design and Construction Standards for Wastewater Collection Systems of Southern Nevada; Summerlin Development Standards; Summerlin Revised Improvement Standards; Urban Design Standards; Landscape, Wall and Buffer Standards; and any other engineering, development or design standards and specifications adopted by the City Council. The term includes standards for public improvements and standards for private improvements required under this Title.

(Ord. 5275 § 7, 2000; Ord. 3806 §§ 8 (part), 14, 1994)

**18.04.065 COMMON INTEREST COMMUNITY.**

“Common interest community” means real estate with respect to which a person, by virtue of his ownership of a unit, is obligated to pay for real estate other than that unit. “Ownership of a unit” does not include holding a leasehold interest of less than twenty years in a unit, including options to renew.

(Ord. 5275 § 8, 2000)

**18.04.070 COVENANT, PUBLIC IMPROVEMENTS.**

"Public improvements covenant" means a recorded agreement wherein the owner and all successors in ownership of a parcel of land acknowledge and consent that normal public improvements required under this Code have been deferred with concurrence of the City until such future time that the improvements are then required to be installed per written request of the City or via a special improvement district, or other means, either individually or jointly with other land owners in the vicinity of the parcel. (Also referred to as a "covenant running with land agreement".)

(Ord. 3806 §§ 8 (part), 15, 1994)

**18.04.080 CUL-DE-SAC.**

"Cul-de-sac" means a local street with only one connection to other streets and with an approved method of termination at the closed end.

(Ord. 3806 §§ 8 (part), 16, 1994)

**18.04.090 DETERMINATION OF APPLICATION SUFFICIENCY (COMPLETENESS).**

"Determination of application sufficiency (completeness)" refers to a determination that an application for review and approval of a parcel map, tentative, or final map is or is not complete at the time of filing. Failure to submit all required forms, fees, studies, drawings, maps and other submission requirements may result in a finding of insufficiency, and no further review or effort to schedule the application for processing is required until sufficiency is achieved.  
(Ord. 3806 §§ 8 (part), 17, 1994)

**18.04.100 DIRECTOR.**

"Director" means the Director of Planning and Development or the Director's designee, unless a specific provision indicates otherwise.  
(Ord. 5275 § 9, 2000: Ord. 3806 §§ 8 (part), 18, 1994)

**18.04.110 DRAINAGE FACILITIES.**

"Drainage facilities" means any type of on-site or off-site berm, containment, conveyance, inlet or discharge improvement to manage storm or nuisance waters within, through or adjacent to a development site.  
(Ord. 3806 §§ 8 (part), 19, 1994)

**18.04.120 DRAINAGE FACILITIES, TYPE A.**

"Type A drainage facilities" refers to lots which are graded to drain surface water directly to the street independently of other properties.  
(Ord. 3806 §§ 8 (part), 20, 1994)

**18.04.130 DRAINAGE FACILITIES, TYPE B.**

"Type B drainage facilities" refers to lots which are graded to drain surface water from the rear yards of lots which are higher in elevation onto adjacent lots which are lower in elevation. Surface water from the front and/or side yards drains to the street independently of other properties.  
(Ord. 3806 §§ 8 (part), 21, 1994)

**18.04.140 DRAINAGE FACILITIES, TYPE C.**

"Type C drainage facilities" refers to lots which are graded to drain all surface water from lots which are higher in elevation onto lots which are lower in elevation.  
(Ord. 3806 §§ 8 (part), 22, 1994)

**18.04.150 DRIVE, PRIVATE.**

"Private drive" means a private roadway that provides access:

- (A) To a limited number of individual dwelling units and their respective garage units, driveways or parking spaces within developments in which the private roadway is held in common; or
- (B) Within a commercial subdivision.

A private drive typically is a dead-end or looped roadway that intersects with a public roadway.  
(Ord. 5275 § 10, 2000: Ord. 3806 §§ 8 (part), 23, 1994)

**18.04.170 DRIVEWAY.**

"Driveway" means the improved area that provides ingress and egress between a roadway and adjoining property.  
(Ord. 5275 § 12, 2000: Ord. 3806 §§ 8 (part), 25, 1994)

**18.04.180 EASEMENT, PRIVATE.**

"Private easement" means a right granted by a property owner, generally described and established in a recorded document or map, to permit a general or specific use by a specific person, group or agency. Private easements are not maintained by the City. Access to individual lots abutting private drives or private streets is generally created through the granting of private access easements.  
(Ord. 5275 § 13, 2000: Ord. 3806 §§ 8 (part), 26, 1994)



**18.04.190 EASEMENT, PUBLIC.**

“Public easement” means a right granted by a property owner, generally described and established in a recorded document or map, to permit a general or specific use by the public, a public agency, a public utility or a public corporation, if specified. The maintenance of public easements owned and controlled by the City may be assigned to others if mutually agreeable between the City and the assigned party. Public easements can be granted to overlap all or any portion of any private property or private easement.

(Ord. 5275 § 14, 2000; Ord. 3806 §§ 8 (part), 27, 1994)

**18.04.200 ENGINEER.**

"Engineer" means a person currently registered as a professional engineer under the provisions of NRS Chapter 625.

(Ord. 3806 §§ 8 (part), 28, 1994)

**18.04.210 FEE SCHEDULE.**

"Fee schedule" means the list of fees and other charges described in Section 18.22.010 of this Title, as the list may be revised or amended from time to time.

(Ord. 3806 §§ 8 (part), 29, 1994)

**18.04.220 FINAL MAP.**

"Final map" means a map prepared in accordance with the NRS Chapter 278 and the provisions of Chapter 18.10 of this Title.

(Ord. 3806 §§ 8 (part), 30, 1994)

**18.04.225 FINAL MAP TECHNICAL REVIEW.**

“Final map technical review” means that process by which all technical aspects of a proposed final map are reviewed, excluding the final submittal of approvable mylar copies in preparation for recordation.

(Ord. 5275 § 15, 2000)

**18.04.230 FRONT (OF A LOT).**

"Front (of a lot)" means that side of the lot which fronts on a street or drive. In the case of a corner lot, the "front" of the lot shall be considered to be the side which has the lesser dimension in width, unless the Director authorizes another side to be designated as the "front" and attaches whatever conditions are deemed necessary to ensure that such alternative designation does not result in land use incompatibility with the surrounding area. In the case of a through lot, either side which abuts a street or drive may be considered the "front," except in cases where deed restrictions, covenants or map notes prohibit access from one street.

(Ord. 3806 §§ 8 (part), 31, 1994)

**18.04.240 LOT.**

"Lot" means a single parcel of land whose existence, location and dimensions have been defined on a legally recorded subdivision map, survey map of record or a metes and bounds description. The term "lot" shall mean the same as "plot" or "parcel."

(Ord. 3806 §§ 8 (part), 32, 1994)

**18.04.250 LOT, CORNER.**

"Corner lot" means a lot abutting two or more streets or drives at their intersection.

(Ord. 3806 §§ 8 (part), 33, 1994)

**18.04.260 LOT, INTERIOR.**

"Interior lot" means a lot other than a corner lot.

(Ord. 3806 §§ 8 (part), 34, 1994)

**18.04.270 LOT, THROUGH.**

"Through lot" means a lot with frontage on two parallel or nearly parallel streets or drives.

(Ord. 3806 §§ 8 (part), 35, 1994)

**18.04.280 LOT AREA OR LOT SIZE.**

"Lot area" or "lot size" means the horizontal area within the boundaries of a lot.

(Ord. 3806 §§ 8 (part), 36, 1994)

**18.04.290 LOT LINES.**

"Lot lines" means the lines bounding a lot.  
(Ord. 5275 § 16, 2000: Ord. 3806 §§ 8 (part), 37, 1994)

**18.04.300 LOT LINE, CORNER.**

"Corner lot line" means a lot line abutting a street or drive, other than a front lot line.  
(Ord. 3806 §§ 8 (part), 39, 1994)

**18.04.310 LOT LINE, FRONT.**

"Front lot line" means the line dividing a lot from a street or drive. In the case of a corner lot, the "front" of the lot shall be considered to be the side which has the lesser dimension in width, unless the Director authorizes another side to be designated as the front and attaches whatever conditions are necessary to ensure that such alternative designation does not result in land use incompatibility with the surrounding area. In the case of a through lot, either side which abuts a street or drive may be considered the "front," except in cases where deed restrictions or other public or private covenants prohibit access from one street or drive.  
(Ord. 3806 §§ 8 (part), 39, 1994)

**18.04.320 LOT LINE, REAR.**

"Rear lot line" means a lot line which is opposite and most distant from the front lot line and, in case of an irregular, triangular or odd-shaped lot, a line not less than ten feet in length, within the lot, generally parallel to and at the maximum distance from the front lot line.  
(Ord. 3806 §§ 8 (part), 40, 1994)

**18.04.330 LOT LINE, SIDE.**

"Side lot line" means any lot line which is not a front lot line, rear lot line or corner lot line.  
(Ord. 3806 §§ 8 (part), 41, 1994)

**18.04.340 LOT WIDTH.**

"Lot width" means the lesser of the horizontal distances separating side lot lines measured at the front and rear building setback line.  
(Ord. 5275 § 17, 2000: Ord. 3806 §§ 8 (part), 42, 1994)

**18.04.350 OFF-SITE IMPROVEMENTS.**

"Off-site improvements" means the same as public improvements.  
(Ord. 3806 §§ 8 (part), 43, 1994)

**18.04.360 OWNER.**

"Owner" means a person who has a fee interest in the land sought to be subdivided, as evidenced by a recorded deed.  
(Ord. 3806 §§ 8 (part), 44, 1994)

**18.04.370 PARCEL MAP.**

"Parcel map" means a map prepared for recording in accordance with NRS Chapter 278 and with the provisions of this Title.  
(Ord. 3806 §§ 8 (part), 45, 1994)

**18.04.375 PRIVATE IMPROVEMENTS.**

"Private improvements" means improvements installed within a development for private or quasi-public purposes, but not owned or maintained by the City.  
(Ord. 5275 § 18, 2000)

**18.04.380 PUBLIC IMPROVEMENTS.**

"Public improvements" means streets, alleys, curbs, gutters, sidewalks, medians, streetlighting systems, traffic control signage and systems, traffic signal systems and interconnect facilities, sanitary sewer systems, drainage facilities, fire hydrants, trails, trail paths, open space improvements and other miscellaneous facilities and improvements to be owned by a public entity that are generally for the benefit of the subdivision or development and are required by the City to be constructed and accepted within public rights-of-way or public easements. Public improvements also may include the dedication and construction of park facilities to be accepted by the City, and dedication of public rights-of-way and easements, as applicable.  
(Ord. 5275 § 19, 2000; Ord. 3806 §§ 8 (part), 46, 1994)

**18.04.390 ROADWAY.**

“Roadway” means a public or private corridor for pedestrian or vehicular movements (or both), along with corresponding right-of-way and easements, and any improvements constructed therein.

(Ord. 5275 § 20, 2000: Ord. 3806 §§ 8 (part), 47, 1994)

**18.04.400 STANDARDS FOR PRIVATE DRIVES.**

“Standards for private drives” means those adopted City standards governing the design and construction of private drives.

(Ord. 5275 § 21, 2000: Ord. 3806 §§ 8 (part), 48, 1994)

**18.04.410 STANDARDS FOR PRIVATE STREETS.**

"Standards for private streets" means those adopted standards governing the design and construction of private streets and detailed in the City standards.

(Ord. 3806 §§ 8 (part), 49, 1994)

**18.04.420 STREET, ALL-WEATHER.**

"All-weather street" means a public or private roadway which is surfaced with materials that allow ordinary motorized vehicles to utilize the street in all weather conditions.

(Ord. 3806 §§ 8 (part), 50, 1994)

**18.04.430 STREET, ARTERIAL.**

"Arterial street" means a roadway with a minimum right-of-way width of one hundred feet and an existing or potential design capacity of two or more travel lanes in each direction. An arterial street is the same as a "primary thoroughfare."

(Ord. 3806 §§ 8 (part), 51, 1994)

**18.04.440 STREET, LOCAL ACCESS.**

"Local access street" means a street that is designed to provide frontage for individual lots and primarily carries traffic having a destination or origin on the street itself.

(Ord. 3806 §§ 8 (part), 52, 1994)

**18.04.450 STREET, MAJOR COLLECTOR.**

"Major collector street" means a roadway with a minimum right-of-way width of eighty feet and an existing or potential design capacity of two or more travel lanes in each direction. A major collector street is the same as a "secondary thoroughfare."

(Ord. 3806 §§ 8 (part), 53, 1994)

**18.04.460 STREET, MINOR COLLECTOR.**

"Minor collector street" means a roadway with a minimum right-of-way width of sixty feet that provides a generally direct connection between local access streets and arterial or major collector streets.

(Ord. 3806 §§ 8 (part), 54, 1994)

**18.04.470 STREET, PRIVATE.**

"Private street" means any roadway, other than a private drive, that is not owned by a public entity.

(Ord. 5275 § 22, 2000; Ord. 3806 §§ 8 (part), 55, 1994)

**18.04.480 STREET, PUBLIC.**

"Public street" means a public roadway for vehicular and/or pedestrian traffic, whether designated as a street, turning lane, freeway, highway, thoroughfare, parkway, throughway, road, avenue, drive, lane, boulevard, place, or other transportation facility, but not including alleys.

(Ord. 3806 §§ 8 (part), 56, 1994)

**18.04.490 SUBDIVIDER.**

"Subdivider" means a person, firm, corporation, partnership or association that has legal or beneficial ownership of land and who causes that land to be divided by means of the parcel map or tentative/final map processes of this Title.

(Ord. 3806 §§ 8 (part), 57, 1994)

**18.04.500 SUBDIVISION.**

"Subdivision" has the meaning ascribed to that term in NRS Chapter 278.  
(Ord. 3806 §§ 8 (part), 58, 1994)

**18.04.510 SURVEYOR.**

"Surveyor" means a person currently licensed as a professional land surveyor under the provisions of NRS Chapter 625.  
(Ord. 5275 § 23, 2000: Ord. 3806 §§ 8 (part), 59, 1994)

**18.04.520 TENTATIVE MAP.**

"Tentative map" means a preliminary plan or map prepared for the purpose of showing the location, design and conditions of a proposed subdivision.  
(Ord. 3806 §§ 8 (part), 60, 1994)

**18.04.530 VACATION.**

"Vacation" means the abandonment of a right-of-way or easement, or the relinquishment of the City's interest (if any) in a government patent reservation.  
(Ord. 5275 § 24, 2000: Ord. 3806 §§ 8 (part), 61, 1994)

## **CHAPTER 18.06 PARCEL MAPS**

### **18.06.010 PURPOSE OF PROVISIONS.**

The provisions of this Chapter set forth the administrative and procedural requirements for the division of land by a parcel map. The parcel map process does not require Planning Commission or City Council action.

(Ord. 5275 § 25, 2000; Ord. 3806 §§ 62 (part), 63, 1994)

### **18.06.020 REQUIRED.**

The proposed division of real property into four or fewer lots for purposes of sale, transfer or development requires the submittal, approval and recordation of a parcel map. Parcel maps shall be processed in accordance with the procedures and standards set forth in the remaining sections of this Chapter.

(Ord. 3806 §§ 62 (part), 64, 1994)

### **18.06.030 APPLICATION -- FEE.**

The owner of property to be divided by means of the parcel map process shall file with the Director an application for approval of a parcel map along with the application fee set forth in the fee schedule. The fee shall be non-refundable.

(Ord. 3806 §§ 62 (part), 65, 1994)

### **18.06.040 APPLICATION -- FORM -- COPIES.**

An application for a parcel map shall be made on a form established by the Director and made available to the public. The complete parcel map application submission shall be accompanied by a sufficient number of copies, as determined by the Director, of a twenty-four by thirty-two inch original of a parcel map drawing and shall contain the items set forth in Appendix A to this Title.

(Ord. 3806 §§ 62 (part), 66, 1994)

### **18.06.050 APPLICATION -- REVIEW.**

Upon determining that a parcel map application is complete, the Director shall cause review of the application for a parcel map and obtain comments from other affected departments. This review shall be conducted within the time period specified by NRS Chapter 278.

(Ord. 3806 §§ 62 (part), 67, 1994)



**18.06.060 APPROVAL -- DETERMINATION.**

The Director, in conjunction with the Director of Public Works, shall determine whether or not a parcel map complies with this Chapter. Upon determining, pursuant to this Chapter, that all conditions and requirements have been met and that all appropriate certification signatures are complete, the Director and the Director of Public Works shall give final approval for the parcel map, sign the appropriate certifications, and release the parcel map for recordation.

(Ord. 5275 § 26, 2000: Ord. 3806 §§ 62 (part), 68, 1994)

**18.06.070 APPROVAL -- COMPLIANCE.**

Approval of a parcel map shall be contingent upon a determination that the map and the proposed development comply with applicable zoning regulations, the provisions of this Title and all requirements set forth in Sections 18.06.080 to 18.06.190, inclusive, of this Chapter.

(Ord. 3806 §§ 62 (part), 69, 1994)

**18.06.080 WATER SUPPLY SYSTEMS.**

Water supply systems shall be installed and maintained in accordance with City standards, Las Vegas Valley Water District standards, Clark County District Board of Health standards or State of Nevada standards, whichever are applicable. Approval of a parcel map does not in any manner ensure the adequacy or availability of future water supplies to service the proposed development.

(Ord. 5275 § 27, 2000: Ord. 3806 §§ 62 (part), 70, 1994)

**18.06.090 SANITARY SEWER COLLECTION AND DISPOSAL SYSTEMS.**

Sanitary sewer collection and disposal systems shall be required, installed and maintained in accordance with City standards. Unless septic systems are permitted by the Clark County Health District, connection to the public sanitary sewer system shall be required. If required improvements are deferred, a public improvements covenant which runs with the land shall be recorded which ensures future installation of any deferred improvements.

(Ord. 3806 §§ 62 (part), 71, 1994)

**18.06.100 PUBLIC STREET ACCESS.**

All lots resulting from the division of land in accordance with the parcel map process shall have frontage on a public street or access to a public street via a private street or private drive. Public street dedications to ensure lot access or the continuity of necessary public streets adjacent to or through the parcel map site also may be required, as necessary, by the Department of Public Works.

Ord. 5275 § 28, 2000: Ord. 3806 §§ 62 (part), 72, 1994)

**18.06.110 LOTS LESS THAN TWO AND ONE-HALF ACRES -- ACCESS BY WAY OF ALL-WEATHER STREET REQUIRED.**

All lots resulting from the division of land in accordance with the parcel map process that are less than two and one-half acres in size shall have access by way of an all-weather street which meets the requirements of the Air Pollution Control Regulations of the Clark County District Board of Health. Proof of legal access to the parcel map site may be required to be submitted prior to approval of the parcel map.

(Ord. 5275 § 29, 2000: Ord. 3806 §§ 62 (part), 73, 1994)

**18.06.120 PUBLIC IMPROVEMENTS.**

Except as otherwise specifically provided in this Section or in a development agreement, all public improvements adjacent to and, if proposed, interior to the parcel map site shall be fully installed, to current City standards, before the parcel map is released for recordation. The Director of Public Works is authorized to allow the installation of public improvements or any portion thereof to be delayed for any of the following reasons, but only if the applicant provides security, in accordance with Section 18.06.160, for the installation of all improvements so delayed prior to the release of the parcel map for recordation:

- (A) The parcel map will create large lots upon which no immediate development is intended;
- (B) The parcel map site is located more than six hundred sixty feet (one nominal block) from existing full or partial improvements;
- (C) The parcel map site is located in an area where partial or full public street improvements are not customary;
- (D) The parcel map site is located in an area where no street improvements currently exist and none have been obligated by means of a public improvements covenant, a covenant running with land agreement, a valid outstanding condition of approval for zoning or plot plan review, a budget appropriation or signed contract, or another similar document or evidence of commitment; or

(E) Other extenuating site-related circumstances exist.  
(Ord. 5275 § 30, 2000: Ord. 3806 §§ 62 (part), 74, 1994)

#### **18.06.130 DUST CONTROL IMPROVEMENTS.**

The applicant shall be responsible for the installation of all dust control improvements that may be required under applicable law, or the contribution of moneys in lieu of improvements, on all public streets adjacent to the parcel map site. Bonds will not be allowed in lieu of improvements for dust control improvements.

(Ord. 5275 § 31, 2000: Ord. 3806 §§ 62 (part), 75, 1994)

#### **18.06.140 PRIVATE STREET IMPROVEMENTS.**

Private streets shall be constructed to applicable City standards.

(Ord. 5275 § 32, 2000: Ord. 3806 §§ 62 (part), 76, 1994)

#### **18.06.150 FLOOD CONTROL REQUIREMENTS.**

A parcel map site two gross acres or larger in size shall comply with the requirements of LVMC Title 20, relating to flood control. A parcel map site smaller than two acres gross may be required to meet such requirements if the site is determined by the Department of Public Works to be in an area of known flooding or if the site is in an area of unknown flood potential.

(Ord. 3806 §§ 62 (part), 77, 1994)

#### **18.06.160 COMPLETION OF DEDICATION AND REQUIRED IMPROVEMENTS.**

Prior to or concurrent with the release of the parcel map for recordation, all dedications and required improvements shall be completed, unless additional time has been granted pursuant to Section 18.06.120 for the installation of improvements, and security for their installation has been provided. The installation of improvements shall be secured by means of a recorded covenant running with land agreement or as otherwise provided under Chapter 18.14.

(Ord. 5275 § 33, 2000: Ord. 3806 §§ 62 (part), 78, 1994)

**18.06.170 MEMORANDUM OF OATHS AND CERTIFICATE OF SURVEYOR.**

The parcel map shall include the memorandum of oaths described in NRS 625.320 and the certificate of the surveyor required pursuant to NRS 278.375.  
(Ord. 3806 §§ 62 (part), 79, 1994)

**18.06.175 RECORDING -- DOCUMENTATION REQUIREMENTS.**

A parcel map presented for recording shall include the following items:

- (A) A report from a title company which lists the names of each owner of record of the land to be divided and each holder of record of a security interest in the land to be divided, if the security interest was created by a mortgage or a deed of trust. The report must be updated as necessary so that it is current within seven days of the date the map is released for recording;
- (B) The written consent of each holder of record of a security interest described in Subsection (A), consenting to the preparation and recordation of the parcel map. A holder of record may consent by signing the parcel map or a separate document that is filed with the parcel map and that declares his consent to the division of land;
- (C) Certificates that are in substantial compliance with Appendix E; and
- (D) All other information required by NRS Chapter 278. (Ord. 5275 § 34, 2000)

**18.06.180 RECORDATION.**

The parcel map shall be recorded within one year after the map has been approved by the City, or such approval shall become null and void. The approved parcel map and any covenants shall be filed and recorded with the County Recorder prior to the sale or transfer of land that is included within a parcel map. Immediately following recordation of the parcel map, the surveyor (or a designee) shall submit to the Director a reproducible copy of the recorded parcel map or a compatible digital format (or both, if required by the Director). (Ord. 5275 § 35, 2000; Ord. 3806 §§ 62 (part), 80, 1994)

**18.06.190 ISSUANCE OF BUILDING PERMIT.**

No building permit shall be issued for any structure on property within a parcel map land division until:

- (A) The parcel map has been recorded with the County Recorder;
- (B) A reproducible copy of the recorded parcel map has been filed in accordance with Section 18.06.180;
- (C) All required public streets and easements, including access from public streets to the parcels, have been dedicated; and
- (D) Required street improvements have been constructed or their construction adequately secured or guaranteed. (Ord. 5275 § 36, 2000; Ord. 3806 §§ 62 (part), 81, 1994)

## CHAPTER 18.08 TENTATIVE MAPS

### 18.08.010 PURPOSES OF PROVISIONS.

The provisions of this Chapter set forth the administrative and procedural requirements for the subdivision of land by means of a tentative map. The tentative map process requires Planning Commission review and action.

(Ord. 3806 §§ 82 (part), 83, 1994)

### 18.08.020 REQUIRED WHEN.

Whenever a division of land is proposed that does not meet the criteria for a parcel map, the applicant shall file a tentative map of the proposed subdivision with the Director. The preparation and submission of a tentative map shall be in compliance with the provisions of NRS Chapter 278 and any additional regulations contained in this Title.

(Ord. 3806 §§ 82 (part), 84, 1994)

### 18.08.030 APPROVAL -- CONFORMANCE WITH ZONING REQUIREMENTS.

- (A) No application for a tentative map is eligible for approval unless it is determined that the proposed subdivision will be in conformance with all applicable zoning regulations, including all applicable provisions of Title 19A; the zoning classification of the site; and all zoning, master plan or site plan approvals for the site, including all applicable conditions that are in effect. If the proposed subdivision will not so conform, the Director is under no obligation to accept or process an application for a tentative map until the applicant has made any necessary application for rezoning or site development plan review, or both; the Planning Commission has made a recommendation in support of the zoning-related application(s); and a City Council hearing date has been set for the zoning-related application(s).
- (B) In cases where approval of a rezoning or a site development plan review is necessary before a tentative map can be approved:
  - (1) The Director may withhold presentation of the tentative map to the Planning Commission until at least two weeks after the City Council's final approval of the rezoning or site development plan review application, or both; and

- (2) The Director may extend the time for reviewing the tentative map if the Council's rezoning or site development plan approval requires that additional issues be addressed or changes made before map approval can occur.

- (C) The Director's ability to withhold action or extend time under Subsection (B) is subject to the time limits referred to in NRS 278.350, as they may be extended by mutual consent.

(Ord. 5275 § 37, 2000; Ord. 3806 §§ 82 (part), 85, 1994)

#### **18.08.040 PROCEDURE.**

Tentative maps shall be processed in accordance with the procedures and standards set forth in the remaining sections of this Chapter.

(Ord. 3806 §§ 82 (part), 86, 1994)

#### **18.08.045 PRE-APPLICATION CONFERENCE REQUIRED.**

Before submitting an application for tentative map, the subdivider or a representative shall attend a pre-application conference with the Planning and Development Department to obtain the Department's assessment of the proposed tentative map and notice of any changes necessary to bring the application into conformance with City requirements.

(Ord. 5275 § 38, 2000)

#### **18.08.050 APPLICATION -- FEE.**

A complete tentative map application shall be submitted to the Department of Planning and Development, along with the application fee set forth in the fee schedule, at least thirty days prior to the date of the meeting at which the applicant wishes to have a tentative map considered by the Planning Commission. The fee shall be nonrefundable.

(Ord. 5275 § 39, 2000; Ord. 3806 §§ 82 (part), 87, 1994)

**18.08.060 APPLICATION -- FORM -- COPIES.**

A complete application for a tentative map shall be made on a form established by the Director and made available to the public. An application for a tentative map shall be accompanied by a sufficient number of copies, as determined by the Director, each twenty-four by thirty-six inches in size, of a tentative map drawing and contain the items set forth in Appendix B to this Title. The drawing shall be made at an engineer's scale and should be such that it will fill no less than seventy-five percent of the sheet. A scale of 1"=20' is preferred, with 1"=40', 1"=100' and 1"=200' the next most preferred scales. If the Director determines that the tentative map will not fit on a twenty-four by thirty-six inch drawing such that all pertinent information is clearly legible, the Director may approve the use of a larger map size that does not exceed thirty-six by forty-eight inches.

(Ord. 5275 § 40, 2000; Ord. 3806 §§ 82 (part), 88, 1994)

**18.08.070 APPLICATION -- DETERMINATION OF COMPLETENESS.**

The Director shall determine if the application is complete and includes all required data and information necessary to conduct a complete evaluation. Within five working days after submittal of a tentative map application, the Director shall:

- (A) Accept the application as complete and begin the review process, scheduling the map for consideration on the next available Planning Commission agenda; or
- (B) Provide written notice to the applicant specifying the deficiencies of the application. Such notice is sufficient if it has been delivered, mailed or faxed to the applicant. The Director shall take no further action on the application until the deficiencies are remedied.

(Ord. 3806 §§ 82 (part), 89, 1994)

**18.08.080 APPLICATION -- REVIEW.**

Upon determining that the tentative map application is complete, the Director shall cause review of the application and preparation of a staff report. The Director shall coordinate the review of the application by other departments and shall incorporate appropriate recommendations by those Departments into the staff report. The report shall be made available to the applicant, if possible, at least five days before the Planning Commission meeting for which the application is scheduled to be heard. The Director shall recommend any changes in the design of the proposed subdivision necessary to achieve the purposes of this Title.

(Ord. 3806 §§ 82 (part), 90, 1994)



**18.08.090 IMPACT STATEMENT REQUIRED.**

A subdivider who proposes to develop a project of significant impact within the Las Vegas urban growth zone, as that zone is described in NRS 463.3094, shall submit an impact statement and all other required documents to the Director, as required by Section 19A.18.010(E). The impact statement shall be submitted with the tentative map application if it has not been previously submitted and accepted. For the purposes of this Section, the term “project of significant impact” means:

- (A) A project with a tentative map for, or a planned unit development of, five hundred units or more;
  - (B) Tourist accommodations of three hundred units or more;
  - (C) A commercial or industrial facility generating more than three thousand average daily vehicle trips; or
  - (D) A nonresidential development encompassing more than one hundred sixty acres.
- (Ord. 5275 § 42 (part), 2000)

**18.08.100 TENTATIVE MAP REQUIREMENTS.**

A tentative map shall indicate, without limitation:

- (A) Demonstration of compliance with the necessary traffic circulation and access requirements set forth in this Title, including compliance with Sections 18.12.204 and 18.12.300; and
  - (B) Any and all trails that are necessary to be provided in accordance with the City's Master Plan and ordinances.
- (Ord. 5275 § 42 (part), 2000)

**18.08.110 PROPOSED PERIMETER GRADES.****TABLE “A”**

- (A) It is the intent of the City to minimize to the extent possible those instances in which grade changes result in large expanses of monotonous walls facing adjacent property or public streets. Type “B” and Type “C” drainage and cross-fall streets, while undesirable, may be allowed on a case-by-case basis as measures to mitigate large expanses of monotonous walls.
- (B) Each tentative map application must include, for all sites, a legible schematic cross section drawing which:

- (1) Has a minimum size of eleven inches by seventeen inches and a maximum size of twenty-four inches by thirty-six inches;
  - (2) Has an exaggerated vertical scale, with labeled horizontal and vertical dimensions at the property lines;
  - (3) Shows the maximum grade differentials;
  - (4) Includes the existing and proposed condition elevations on the cross sections;
  - (5) Includes cross sections that extend a minimum of one hundred feet beyond the limits of the project at each property line, showing the location and finish floor elevations of adjacent structures. Measurements shall be made from the centerline of adjacent streets, or from the property line where no street exists. The Planning and Development Department may require cross sections for up to one hundred feet beyond the property line or the centerline of an abutting street, whichever is greater; and
  - (6) Includes cross sections for maximum and typical wall heights.
- (C) Whenever, on the perimeter of a project, retaining walls are proposed which:
- (1) Face a public street or adjoining property not in common ownership;
  - (2) Are within a single plane and are not separated by landscaping; and
  - (3) Exceed the maximum retaining wall heights indicated in Table “A” below, the applicant shall submit three copies of a plan of proposed perimeter grades which indicates all such walls. This plan may be superimposed on the tentative map but must be legible. The plan shall include cross-sections of all sections of the project perimeter with retaining walls which exceed the heights indicated in Table “A.” For purposes of Table “A,” retaining wall heights shall be measured from the proposed grade on the exterior side of the project to the top of the retaining wall.

<b>TABLE “A”</b>	
<b>Slope of</b>	<b>Maximum Retaining</b>
<b>Natural Grade</b>	<b>Wall Height</b>
<b>(percent)</b>	
0 to 2	4 feet
above 2 to 4	6 feet
above 4	6 feet per step of wall
	(see Chapter 18.12, Figure 3)

- (D) The plan described in Subsection (C) shall show perimeter walls that conform to the requirements of Section 18.12.510.
- (E) In the case of an application which contains a plan as described in Subsection (C), the City will notify all property owners within three hundred feet of any portion of the project perimeter where a retaining wall exceeds the maximum heights indicated in Table "A," and the Planning Commission shall hold a public hearing concerning the tentative map and the plan of proposed project perimeter grades. The applicant shall pay the fee set forth in the fee schedule for the required hearing and processing. The Planning Commission's review is final unless appealed to the City Council.
- (F) When considering the tentative map application, the Planning Commission shall take into account the submitted plan of proposed project perimeter grades. Approval of the tentative map shall constitute approval of the associated plan of project perimeter grades.
- (G) If the final drainage and grading plan for the project changes an approved plan for project perimeter grades by more than two feet in either direction, as determined by the Director or by the Director of Public Works, the tentative map and a new project perimeter grade plan must be reviewed and approved by the Planning Commission as in the first instance. Nothing in this Subsection (G) affects the application of the maximum retaining wall height limitations contained in Table "A". (Ord. 5275 § 43, 2000: Ord. 3806 §§ 82 (part), 93, 1994)

#### **18.08.120 PARKS AND PLAYGROUNDS IN LIEU OF RESIDENTIAL CONSTRUCTION TAX.**

A subdivider who desires to construct parks or playgrounds in lieu of paying the residential construction tax described in LVMC Chapter 4.24 shall show such parks or playgrounds on the tentative map, demonstrating that the parks and playgrounds will conform to all applicable City standards, regulations, plans and policies regarding the construction of such facilities in lieu of paying the tax.

(Ord. 5275 § 45 (part), 2000)

**18.08.130 FORWARDING COPY OF MAP.**

- (A) In connection with an application for tentative map that proposes to subdivide land within one mile of the boundary of an unincorporated area of the county, the City shall forward a copy of the proposed map to the Clark County Planning Commission or its designated representative, as required by NRS 278.345.
  - (B) In connection with any application for tentative map, the City shall forward a copy of the proposed map to the Clark County School District and to any general improvement district in which the property is located, as required by NRS 278.346 and 278.347.
  - (C) Comment and action by the agencies described in this Section concerning the proposed map shall be in accordance with and subject to the provisions of NRS 278.345 to 278.347, inclusive.
- (Ord. 5275 § 45 (part), 2000)

**18.08.140 PLANNING COMMISSION REVIEW.**

The Planning Commission shall conduct its review and take action on the application for tentative map in accordance with NRS Chapter 278, and within the time frames set forth in NRS 278.349 and 278.350.

(Ord. 5275 § 45 (part), 2000)

**18.08.150 REVISIONS OR AMENDMENTS TO TENTATIVE MAP.**

In the event that Planning Commission approval of a tentative map is contingent upon significant revisions or amendments, the applicant shall submit to the Director four new prints of the revised tentative map incorporating such revisions or amendments before the submission of an application for final map.

(Ord. 5275 § 45 (part), 2000)

**18.08.160 RECORDATION TIME LIMITS.**

(A) If a final map is not approved and recorded within:

- (1) Two years following the date of approval of the tentative map;
- (2) One year following the date of approval of a previously-recorded final map covering a portion of the tentative map; or
- (3) One year following an extension of time granted pursuant to Section 18.08.170, the tentative map application and approval shall lapse and a new tentative map shall be required. Tentative maps are not eligible for an extension of time.

- (B) For a phased project, the first of a series of final maps covering a portion of the approved tentative map must be approved and recorded within two years following the date of approval of the tentative map. Subsequent final maps must be approved and recorded within one year following the date of the approval of the previously recorded final map, unless an extension is granted pursuant to Section 18.08.170, or all further proceedings concerning the subdivision shall be terminated.

(Ord. 5275 § 45 (part), 2000)

### **18.08.170 RECORDATION EXTENSION OF TIME.**

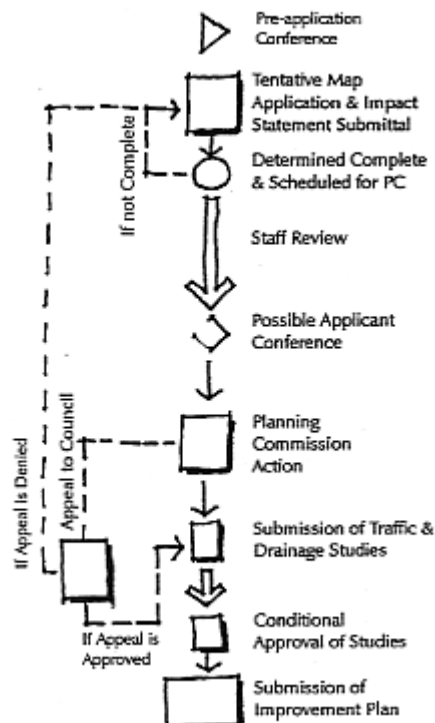
By delegation, the Director may grant a single one-year extension of time within which to present and record a final map or any one of a series of final maps covering a portion of the tentative map, except that no extension may be granted if a final map, or the first in a series of final maps, is not recorded within two years following the date of approval of the tentative map.

(Ord. 5275 § 45 (part), 2000)

### **18.08.180 TENTATIVE MAP REVIEW TYPICAL PROCESS.**

Figure 1 (below) depicts the typical process for tentative map review

**Figure 1**



(Ord. 5275 § 45 (part), 2000)

## **CHAPTER 18.10 FINAL MAPS**

### **18.10.010 PURPOSE OF PROVISIONS.**

The provisions of this Chapter set forth the administrative and procedural requirements for the subdivision of land by a final map. The final map process requires review and action by the Director, the Director of Public Works, and, in some cases, the Planning Commission.  
(Ord. 5275 § 47 (part), 2000)

### **18.10.020 REQUIRED.**

A final map, prepared in accordance with the approved tentative map, or a series of final maps each covering a portion of an approved tentative map, shall be submitted in compliance with the provisions of NRS Chapter 278, Section 18.08.160, and the additional regulations contained in this Title.  
(Ord. 5275 § 47 (part), 2000)

### **18.10.030 APPLICATION -- FEE.**

A final map application shall be submitted to the Department of Planning and Development, along with the fee set forth in the fee schedule. The fee shall be nonrefundable. The application initially shall be processed under the final map technical review process described in this Chapter.  
(Ord. 5275 § 47 (part), 2000)

### **18.10.040 APPLICATION -- FORM -- COPIES.**

(A) Application for a final map shall be made on a form established by the Director and made available to the public. The application must be accompanied by a sufficient number of copies, as determined by the Director, of a twenty-four by thirty-two inch original of the final map drawing. In order to be accepted for review under the final map technical review process, the final map application must:

- (1) Demonstrate compliance with Sections 18.10.140 to 18.10.210, inclusive, and Appendix C to this Title;
- (2) Include documentation from the Department of Public Works that:

- (a) A drainage plan and technical drainage study is not required or that the required plan and study have been approved by the Department of Public Works; and
    - (b) A traffic impact analysis is not required or that the traffic impact analysis has been approved by the Department of Public Works.
  - (B) In order to be deemed complete, the final map application must have been reviewed and approved in connection with the final map technical review process described in this Chapter.
- (Ord. 5275 § 47 (part), 2000)

#### **18.10.050 APPLICATION -- DETERMINATION OF COMPLETENESS.**

- (A) The Director shall determine if the application is in proper form and includes all required data and information necessary to conduct the final map technical review in accordance with this Section. Within five working days after submittal of a final map application, the Director shall:
  - (1) Accept the application as being in proper form and containing the necessary information, and begin the final map technical review process; or
  - (2) Provide written notice to the applicant specifying the deficiencies of the application. Such notice is sufficient if it has been delivered, mailed or faxed to the applicant. The Director is under no obligation to take further action on the application until the deficiencies are remedied.
- (B) If the Director determines that the application is in proper form and contains the necessary information, the Director shall, within the review period, perform the final map technical review, which consists of determining whether the application conforms with the tentative map approved by the Planning Commission, the requirements of NRS Chapter 278, and the provisions of this Title. In connection with that determination, the Director may approve the final map technical review, deny it, or approve it subject to conditions designed to bring it into conformance.
- (C) Except as otherwise provided in Subsection (D), the review period described in Subsection (B) consists of the thirty-day period following the determination that a final map application is in proper form and contains the necessary information.
- (D) The review period:

- (1) Does not apply if the Director elects to refer the final map technical review to the Planning Commission to decide if there is compliance with the tentative map or a condition thereof;
  - (2) Does not apply if the subdivider elects to have an adverse decision by the Director concerning the final map technical review considered by the Planning Commission to decide if there is compliance with the tentative map or a condition thereof; and
  - (3) May be waived by the subdivider in order to allow the subdivider additional time to demonstrate that the final map technical review should be approved.
- (Ord. 5275 § 47 (part), 2000)

#### **18.10.060 APPLICATION -- APPROVAL OR DENIAL.**

- (A) Upon approval of the final map technical review, the final map application and final map itself may be submitted for final action by the Director. The Director shall review the application and map for conformance with the final map technical review. Except as otherwise provided in Subsection (B), the Director, within ten days, shall either approve or deny the application and final map.
  - (B) The ten-day period may be waived by the subdivider in order to allow the subdivider:
    - (1) Additional time to demonstrate that the final map should be approved; or
    - (2) As an alternative to denial of the final map by the Director, an opportunity to have the Planning Commission review or consider the final map.
- (Ord. 5275 § 47 (part), 2000)

#### **18.10.070 RECORDATION -- REQUIREMENTS AND CONDITIONS.**

After a final map has been approved, the applicant shall make those modifications necessary to ensure compliance with any conditions imposed by the Director or by the Planning Commission. The Director, together with the Director of Public Works, shall be responsible for determining compliance with all requirements before a final map may be released for recordation. Before signing the final map certificate, the Director must determine that all requirements and conditions have been met, including:

- (A) Submittal of a corrected final map, if appropriate;
- (B) Completion of all certification signatures in substantial conformance with Appendix E;
- (C) Dedication of all easements and rights-of-way approved for inclusion on the final map, and vacation of all existing easements and rights-of way not to be included on the final map;



- (D) Completion of all public improvements and common area improvements associated with the subdivision, as required by the City, unless the subdivider elects to enter into an agreement with the City to make such improvements pursuant to Chapter 18.14;
  - (E) Approval of a phasing plan or development agreement, if required by Chapter 18.14;
  - (F) Payment of all applicable inspection and developer fees and posting of all required bonds or documents of security;
  - (G) Execution of all required agreements; and
  - (H) Submittal of a one inch equals two hundred foot scale version of the final map drawing or a copy of such drawing in compatible digital format.
- (Ord. 5275 § 47 (part), 2000)

#### **18.10.080 TRAFFIC STUDIES OR DRAINAGE STUDIES -- SUBMISSION AND APPROVAL REQUIRED.**

For any subdivision concerning which traffic studies or drainage studies have been required in connection with zoning or other development approval, those studies must have been submitted and approved before the subdivider submits improvement plans pursuant to this Chapter. The improvement plans must take into account and be based upon those approved studies.

(Ord. 5275 § 47 (part), 2000)

#### **18.10.090 ON-SITE AND OFF-SITE IMPROVEMENTS PERMITS.**

Following approval of a final map, permits for the construction of on-site and off-site improvements may be granted:

- (A) Upon approval of the following plans, as applicable, by the Department of Public Works:
  - (1) All public and private street plans, including profiles;
  - (2) All sewer, storm drains and water plans, including profiles;
  - (3) All street lighting and traffic plans;
  - (4) All drainage plans;
  - (5) All parks plans; and
- (B) Upon approval by the Director of the plans for any common area improvements or private improvements, other than private streets, which have been required to be installed by the City in connection with development approval. (Ord. 5275 § 47 (part), 2000)

**18.10.100 RECORDATION -- TITLE COMPANY REPORT -- CONSENT OF HOLDERS OF RECORD.**

A final map presented for recording shall include the following items:

- (A) A report from a title company which lists the names of each owner of record of the land to be divided and each holder of record of a security interest in the land to be divided, if the security interest was created by a mortgage or a deed of trust. If for a common-interest community, as defined in NRS 116.110323, said report shall show that there are no liens of record against the property or any part thereof for delinquent state, county, municipal, federal or local taxes or assessments collected as taxes or special assessments. The report must be updated as necessary so that it is current within seven days of the date the map is released for recording; and
  - (B) The written consent of each holder of record of a security interest described in Subsection (A), consenting to the preparation and recordation of the final map. A holder of record may consent by signing the final map or a separate document that is filed with the final map and that declares his consent to the division of land.
- (Ord. 5275 § 47 (part), 2000)

**18.10.110 MONUMENTS.**

Monuments must be set before the final map is recorded unless the subdivider furnishes a performance bond or other suitable assurance to the City guaranteeing that the monuments will be set by a land surveyor on or before a date certain. Monumentation shall comply with the specifications set forth in Appendix D to this Title.

(Ord. 5275 § 47 (part), 2000)

**18.10.120 RECORDATION -- TIME LIMITS.**

The provisions of NRS Chapter 278 and this Title shall govern the time within which a subdivider must record a final map or obtain any extension of time therefor. The subdivider shall be responsible for the timely filing of any extension request.

(Ord. 5275 § 47 (part), 2000)

**18.10.130 PLANS AND SPECIFICATIONS -- DOCUMENTS AND INFORMATION REQUIRED.**

Construction plans and specifications related to a final map shall be accompanied by or include the documents and information described in Sections 18.10.140 to 18.10.210, inclusive, of this Title. Such plans and specifications shall be submitted to and approved by the Director of Public Works prior to start of construction of any improvements.

(Ord. 5275 § 47 (part), 2000)

**18.10.140 PLANS AND SPECIFICATIONS -- PLAN SHEETS.**

All subdivision construction plans and specifications shall be sealed by an engineer licensed in the State of Nevada and shall comply with City standards. Any deviation from City standards must be noted on the plans. In order to obtain a deviation, the request for deviation must be included in a letter to the Director of Public Works which outlines each deviation and the reasons for requesting the deviation. Plans and specifications shall clearly indicate the distinction between existing and proposed improvements, and each plan sheet shall carry in the lower right-hand corner the name of the subdivision, the type of design shown on the plan, the name of the streets shown on the plan, the name of the engineer, the date, the sheet number and any other information deemed necessary by the Director of Public Works. Each plan sheet shall have a north arrow and indicate the scale used. Submitted plans shall be on original reproducible sheets, mylar preferred, with permanent ink, and shall be twenty four inches by thirty-six inches in dimension. A compatible digital format copy of the approved plans may be required by the Department of Public Works.

(Ord. 5275 § 47 (part), 2000)

**18.10.150 SUBMISSION OF STREET PLANS, PROFILES, AND PLANS FOR PUBLIC ALLEYS.**

(A) The applicant shall submit street plans and profiles showing curve data, centerline and curb-lines with reference to back of curb, including radius, center angle, tangent and length of curve; curb type; street names; benchmarks; all valley gutters; ADA accommodations; and improvements relating to public transportation. Each profile view shall show the existing ground line prior to construction, percent grades of centerline and centerline elevations at all changes in vertical and horizontal alignment. Any documentation from the City Traffic Engineer that is required by Sections 18.12.070 and 18.12.180 shall be submitted with street plans and profiles.

(B) The applicant shall submit plans showing any public alleys that are proposed to be dedicated and improved. Public alleys may be included within a subdivision only after consultation with, and approval for inclusion by, the Director of Public Works.

(Ord. 5275 § 47 (part), 2000)

**18.10.160 STREET LIGHTING.**

Plans shall indicate the proposed location of each streetlight standard, including pole type and gauge; the number and type of luminaries per pole; luminaire wattage and lamp type; conductor quality, size and insulation type; all underground conduit locations, sizes and types; proposed service connection locations or, if approved prior to submittal, the connection point to an existing street lighting circuit. All equipment and locations shall be in conformance to City standards unless the City Council allows an exception. The installation of conforming lighting may be deferred if the deferral is approved by the City Council and the applicant executes a covenant running with land agreement to secure the installation.

(Ord. 5275 § 47 (part), 2000)

**18.10.170 DRAINAGE PATTERNS.**

The applicant shall submit sufficient information in the form of maps and profiles prepared by an engineer to indicate the proper drainage of surface water to natural drainage courses or into existing or proposed public drainage-ways. Any modifications to drainage patterns adjacent to the subject site shall also be noted on the plans. If drainage is proposed across lands used as private lots, the location, width and types of rights-of-way and easements shall be indicated on the final map.

(Ord. 5275 § 47 (part), 2000)

**18.10.180 SANITARY SEWER COLLECTION SYSTEM.**

The applicant shall submit sufficient plans and profiles to show all sanitary sewer collection system information necessary to determine compliance with City standards. Each plan view shall show lot lines; lot and block numbers; exact location of wastewater lines with reference to property lines; location of manholes and house laterals; street names; and benchmark elevations. Each profile view shall show the proposed finished grade above the pipe or, if no street construction is involved, existing ground line; top of manhole elevation; invert elevation; stationing and, if available, coordinates (NAD 83) of each manhole; size and type of pipe, percent of grade and distance between manholes.

(Ord. 5275 § 47 (part), 2000)

**18.10.190 WATER LINES, VALVES AND FIRE HYDRANTS.**

The applicant shall submit plans showing the exact size and location of all water lines, valves and fire hydrants.

(Ord. 5275 § 47 (part), 2000)

**18.10.200 GRADING PLAN.**

(A) The applicant shall submit a grading plan showing:

- (1) North arrow and scale;
- (2) Benchmark (City datum);
- (3) Engineer's dated signature and seal;
- (4) Existing topography at one-foot contour intervals to extend one hundred feet beyond the tract limits measured from the centerline of adjacent roadways (with the exception that, where grades exceed ten percent, two-foot contour intervals may be used);
- (5) Property corners and spot elevations sufficient to show drainage patterns and all conforming conditions;
- (6) Proposed pad and finished floor elevations;
- (7) Finished floor elevations of buildings within one hundred feet of the centerline of adjacent roadways or, where no adjacent roadway exists or is planned to exist, the exterior property line of the tract;
- (8) Proposed curb elevations at grade breaks, beginning and end of curve;
- (9) Direction of water flow and percent of grade of site;
- (10) Direction of water flow and percent of grade of existing and proposed drainage ways;
- (11) Direction of flow, percent of grade and other pertinent features for any off-site drainage improvements which are part of the project;
- (12) Details of proposed drainage facilities for the lots;
- (13) Details of all proposed drainage facilities including but not limited to storm drains, pipe sizes, inlets, manholes, valley gutters, swales, berms and easements;
- (14) Plan and profile drawings of drainage facilities in public rights-of-way or public drainage easements; and
- (15) Existing walls abutting the subdivision and proposed walls within or adjacent to the subdivision.

(B) The grading plan must comply with the cross section drawing required to be submitted with the tentative map pursuant to Section 18.08.110. The plan shall be considered to be in substantial compliance if the grades are within two feet of the elevations shown on the cross section drawing and tentative map. If actual grading does not conform to the approved grading plan or the requirements of Section 18.08.110, the Director, or the Director of Public Works, may require the subdivider to re-grade the site or to appear before the Planning Commission for appropriate resolution.

(C) The grading plan must comply with the approved drainage study on file as certified by an engineer, and the plan shall include a note indicating such certification.

(Ord. 5275 § 47 (part), 2000)

#### **18.10.210 ADDITIONAL DATA.**

The following data shall be submitted with the plans:

(A) Excavation and fill (cubic yards);

(B) AC paving and gravel base (square yards);

(C) Curb and gutter (lineal feet);

(D) Sidewalk (square feet);

(E) Valley gutter (square feet);

(F) Sewer mains, trunk lines, laterals and connections (size and lineal feet);

(G) Manholes (each);

(H) Street lighting (each);

(I) Water mains (size and lineal feet), water services and number of fire hydrants;

(J) Quantity takeoffs in tabular form for public drainage facilities; and

(K) Sidewalk ramps (each).

(Ord. 5275 § 47 (part), 2000)

**18.10.220 COMMENCEMENT OF CONSTRUCTION AND INSTALLATION WORK RELATING TO REQUIRED PUBLIC IMPROVEMENTS.**

The applicant shall notify the Director of Public Works at least twenty-four hours in advance of the scheduled date and time that construction and installation work relating to required public improvements or private streets is to commence. If delays occur, the applicant shall notify the Director of Public Works not less than two hours prior to the rescheduled time.  
(Ord. 5275 § 47 (part), 2000)

**18.10.230 COMMERCIAL SUBDIVISIONS -- ADDITIONAL REQUIREMENTS.**

In addition to the other provisions and requirements set forth in this Chapter, a final map for a commercial subdivision shall comply with the following requirements prior to being released for recordation:

- (A) Within the C-1 Zoning District (or its equivalent), the Director of Public Works may require all parcels created through the commercial subdivision process to have perpetual unobstructed access to driveways servicing the overall subdivision site. For sites larger than ten acres in size, the requirement may be imposed only if the requirement has been recommended in an approved Traffic Impact Analysis. If the requirement is imposed, a note to that effect shall be included on the final map.
- (B) The on-site sewer system servicing the overall commercial subdivision shall be identified as one of the following types, with the appropriate wording to appear as a note on the final map:
  - (1) A public sewer, with a minimum pipe diameter of eight inches, located within dedicated public sewer easements which are a minimum of twenty feet wide.
  - (2) A common element of the commercial subdivision which is privately owned and which is maintained in accordance with covenants, conditions and restrictions that govern the subdivision.
  - (3) A common element of the commercial subdivision which is privately owned and which is maintained in accordance with a joint use agreement applicable to the subdivision.
- (C) All subdivided parcels comprising the commercial subdivision shall provide perpetual inter-site common drainage rights across all existing and future parcel limits, and a note to this effect shall appear on the final map.  
(Ord. 5275 § 47 (part), 2000)

**CHAPTER 18.12 DESIGN AND CONSTRUCTION STANDARDS****18.12.010 MINIMUM STANDARDS.**

The design standards of this Chapter shall constitute the minimum design and construction standards for all development and land divisions created through the parcel map, tentative map and final map processes. All improvements required by this Title shall be designed, installed and maintained in accordance with applicable City standards.

(Ord. 5275 § 48, 2000; Ord. 3806 §§ 122 (part), 123, 1994)

**18.12.020 STREET DESIGN GENERALLY.**

All proposed subdivisions shall be designed in a manner that provides for and facilitates the logical overall design, placement and continuity of adjacent and internal subdivision streets with respect to adjacent land parcels, and in accordance with the City's Master Plan of Streets and Highways. The standards set forth in Sections 18.12.030 to 18.12.290, inclusive, of this Chapter shall apply to public streets, private streets and private drives, unless otherwise provided.

(Ord. 3806 §§ 122 (part), 124, 1994)

**18.12.030 LOCAL STREETS.**

Local streets shall be designed to minimize through traffic. Such streets shall not be stubbed to adjacent property unless designed as an approved integral street pattern in connection with an approved tentative map. A subdivision shall be designed so as to ensure that the maximum number of housing units have access to and front upon local streets.

(Ord. 5275 § 49, 2000; Ord. 3806 §§ 122 (part), 125, 1994)

**18.12.040 COLLECTOR STREETS.**

Collector streets shall be designed to provide logical service connection to adjacent undeveloped tracts of land and shall extend already existing collector service from adjacent subdivisions and development as required.

(Ord. 3806 §§ 122 (part), 126, 1994)



**18.12.050 PEDESTRIAN AND VEHICLE CONFLICT POINTS.**

Pedestrian and vehicle conflict points shall be minimized. Sidewalks shall be required adjacent to public streets in accordance with City standards. The Department of Public Works may require sidewalks adjacent to private streets and drives to separate pedestrian and vehicular movements along higher traffic volume roadways, such as private drives into shopping center sites.

(Ord. 5275 § 50, 2000: Ord. 3806 §§ 122 (part), 127, 1994)

**18.12.060 CHANNELING OF DIRECT TRAFFIC FROM NONRESIDENTIAL USES TO RESIDENTIAL AREAS.**

Street design and layout shall minimize, to the extent possible, the channeling of direct traffic or access from nonresidential uses to or through adjacent residential areas.

(Ord. 3806 §§ 122 (part), 128, 1994)

**18.12.070 ACCESS ROADWAYS.**

Any subdivision with more than one hundred lots shall have more than one active access roadway unless the subdivider obtains the written concurrence of the City Traffic Engineer that a single access roadway can provide adequately for the safety and convenience of the future residents of the subdivision.

(Ord. 3806 §§ 122 (part), 129, 1994)

**18.12.080 STREET NAMES.**

All proposed street names shall comply with LVMC Chapter 13.28. Before any street name may be used, it must first be approved by the Director and by the Department of Fire and Rescue.

(Ord. 5275 § 51, 2000: Ord. 3806 §§ 122 (part), 130, 1994)

**18.12.090 PUBLIC STREET RIGHT-OF-WAY WIDTHS.**

Public street right-of-way widths shall comply with City standards.

(Ord. 3806 §§ 122 (part), 131, 1994)

**18.12.100 PRIVATE STREET REQUIREMENTS.**

Private streets must comply with applicable City standards and with the following requirements:

- (A) Private streets shall have a minimum width of thirty-seven feet from back-of-curb to back-of-curb. Private streets with rolled curbs shall have a minimum width of thirty-nine feet.
- (B) Private streets shall meet the minimum construction standards for public streets.
- (C) Street name signs for private streets shall bear the words “privately maintained,” and shall be a color and design established by the City and in conformance with the Manual of Uniform Traffic Control Devices. The color of such a sign must differ distinctly from that used in connection with public streets.

(Ord. 5275 § 52, 2000; Ord. 3806 §§ 122 (part), 132, 1994)

**18.12.105 RESIDENTIAL SUBDIVISIONS -- PRIVATE DRIVES REQUIREMENTS.**

In a residential subdivision, private drives shall:

- (A) Have a minimum pavement width of twenty-four feet and a maximum length of two hundred feet;
- (B) Be accessible only from a public or private street; and
- (C) Be provided with street name signs that bear the words “privately maintained,” and are of a color and design established by the City and in conformance with the Manual of Uniform Traffic Control Devices. The color of such a sign must differ distinctly from that used in connection with public streets.

(Ord. 5275 § 53, 2000)

**18.12.110 DEAD-END STUB.**

No street shall be permitted which would create the potential for a dead-end stub unless the subdivider can provide appropriate assurances that the street will be continued onto the adjacent property or that the street is required by the City.

(Ord. 3806 §§ 122 (part), 133, 1994)

**18.12.120 ALLEYS.**

Public alleys may be provided only in accordance with Section 18.10.150. If public alleys are to be provided, they shall be paved and have a minimum width of twenty feet.

(Ord. 5275 § 54, 2000: Ord. 3806 §§ 122 (part), 134, 1994)

**18.12.130 CUL-DE-SACS.**

Cul-de-sacs shall be designed and installed in accordance with City standards. For public streets which terminate other than at an intersection with another public street, the termination shall be provided by means of a circular cul-de-sac of a sufficient diameter to accommodate emergency service vehicles for termination. For private streets or drives which terminate at a length over one hundred fifty feet, there shall be either a circular turn-around or emergency service vehicle access gates.

(Ord. 5275 § 55, 2000: Ord. 3806 §§ 122 (part), 135, 1994)

**18.12.140 HALF STREETS.**

Any subdivision boundary street which is shown on the Master Plan of Streets and Highways shall be dedicated for one-half of its required right-of-way width. Half streets may be permitted along subdivision boundary lines only if such streets are major streets or if the City determines that traffic, topography, drainage and design factors justify half streets. Except under extreme circumstances, half streets shall not be permitted within the interior of a subdivision.

(Ord. 3806 §§ 122 (part), 136, 1994)

**18.12.150 PARTIALLY DEDICATED STREET OR ALLEY.**

Whenever there exists a partially dedicated street or alley abutting a proposed subdivision, the remainder of the required right-of-way shall be dedicated and improved by the subdivider unless the City approves a plan to vacate the street or alley.

(Ord. 5275 § 56, 2000: Ord. 3806 §§ 122 (part), 137, 1994)

**18.12.160 INTERSECTIONS -- LENGTH.**

Any intersection of any street that provides external access from a subdivision to any existing or planned street abutting the subdivision which has a right-of-way of sixty feet or more shall be offset from any other intersection by at least two hundred twenty feet, measured from centerline to centerline. Intersections of streets providing service internally within a subdivision, where they do not intersect arterial or major streets, shall be offset a minimum of one hundred twenty-five feet.

(Ord. 3806 §§ 122 (part), 138, 1994)

**18.12.170 INTERSECTIONS -- ANGLES.**

Street intersections shall be at an angle of ninety degrees, or as close to ninety degrees as is practicable. In no case shall an intersection be at an angle less than seventy-five degrees.

(Ord. 3806 §§ 122 (part), 139, 1994)

**18.12.180 INTERSECTIONS -- SIGHT DISTANCES.**

Streets shall not be connected to collector and arterial streets so that intersections are created within three hundred feet of the point where the approach connects to the inside of a horizontal curve. The City Traffic Engineer may waive this requirement in writing if the applicant can demonstrate that the design can maintain safe sight distances.

(Ord. 3806 §§ 122 (part), 140, 1994)

**18.12.190 VERTICAL CURVES.**

Vertical curves shall be provided in all changes in grade where the total algebraic difference is one percent or greater. The Director of Public Works may waive this requirement if the applicant can demonstrate that meeting this requirement is impractical. The minimum length of vertical curves for local streets shall be fifty feet per each percent of change in grade and for collector streets, or larger, the minimum length shall be seventy-five feet per each percent change in grade.

(Ord. 5275 § 57, 2000; Ord. 3806 §§ 122 (part), 141, 1994)

**18.12.200 REVERSE OR COMPOUND CURVES.**

Reverse or compound curves on any street, except local streets, shall be separated by a tangent of one hundred feet or more. The Director of Public Works may waive this requirement if the applicant can demonstrate that meeting this requirement is impractical.

(Ord. 5275 § 58, 2000; Ord. 3806 §§ 122 (part), 142, 1994)

**18.12.204 ROADWAYS AND STREETS -- DESIGN CRITERIA.**

- (A) The design of roadways shall take into account and be based upon topography and drainage considerations.
- (B) Local access streets greater than five hundred feet in length, other than streets which are listed on the Master Plan of Streets and Highways, shall include design elements intended to avoid monotony of lot appearance, reduce speeds through neighborhoods, and discourage cut-through traffic.
- (C) All lots shall have frontage on, and access to, a public street or an irrevocable private street or private drive. Public street dedications to ensure lot access or the continuity of necessary public streets adjacent to or through the subdivision also may be required, as necessary, by the Department of Public Works.

(Ord. 5275 § 59 (part), 2000)

**18.12.207 STREET GRADE REQUIREMENTS.**

All streets should be designed and located so that as many building sites as possible are at or above the grade of the street. Grades of streets shall conform as closely as possible to the original topography. A combination of steep grades and curves should be avoided. Minimum street grade shall be 0.004 feet per foot, unless an acceptable alternate design is approved by the Director of Public Works.

(Ord. 5275 § 59 (part), 2000)

**18.12.210 SIGHT CLEARANCE.**

A minimum sight clearance for unobstructed vision shall be provided at all intersections in accordance with City standards. The areas of unobstructed vision shall be detailed on the final map or included by reference, and shall be noted as areas where improvements are restricted by City standards. The requirement for unobstructed vision shall apply to the location of all public and private facilities and improvements as determined by the Director of Public Works. All plans regarding drainage, grading, fence layout and other construction shall reflect compliance with the unobstructed vision requirement.

(Ord. 3806 §§ 122 (part), 143, 1994)

**18.12.220 PAVING TRANSITIONS AND CROSSOVERS.**

The Director of Public Works may require the subdivider to install paving transitions and crossovers to accommodate existing and proposed paving improvements with a “sawtooth” or nonuniform alignment or width if the necessary public right-of-way or easement exists or can be obtained by the City.

(Ord. 5275 § 60, 2000: Ord. 3806 §§ 122 (part), 144, 1994)

**18.12.230 ACCESS STREET PAVING REQUIREMENTS.**

The subdivider shall provide paved access from existing paved streets to the subdivision boundary where no such access exists. The access must be paved to a minimum travel width of twenty-four feet, with AC paving and standard base course as specified by the Director of Public Works. The Director of Public Works shall designate which street must be improved as an access street and may require a secondary paved access route and other mitigation measures deemed necessary as a result of or based upon traffic projects within the subdivision, the location of the subdivision, or neighborhood concerns.

(Ord. 5275 § 61, 2000: Ord. 3806 §§ 122 (part), 145, 1994)

**18.12.240 COMPACTION OF STREET SUB-GRADE AND BASE MATERIALS.**

Compaction of street sub-grade and base materials shall comply with City standards.

(Ord. 3806 §§ 122 (part), 146, 1994)

**18.12.243 RESIDENTIAL SUBDIVISIONS -- INTERIOR BLOCKS REQUIREMENTS.**

Within the interior of residential subdivisions:

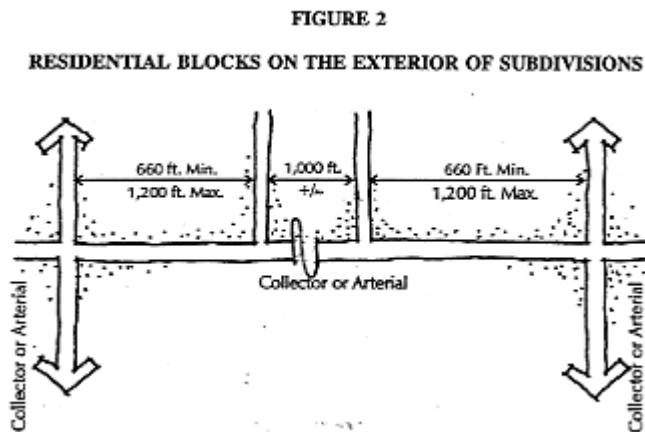
- (A) Blocks should be approximately six hundred sixty feet in length;
- (B) Blocks shall not exceed one thousand feet in length between intersections, except where topographical or other conditions require longer blocks; and
- (C) Block depths should be designed so as to provide two rows of lots, except where lots are planned to back on a major highway, drainage channel, shopping center, or common open space area. Nothing in this Subsection, however, is intended to prevent the inclusion within any subdivision plan of blocks of greater depth or of irregular outline, where they are necessary to provide access to central areas within the subdivision.

(Ord. 5275 § 62 (part), 2000)

### **18.12.246 RESIDENTIAL SUBDIVISIONS -- EXTERIOR BLOCKS REQUIREMENTS.**

Along the exterior of residential subdivisions:

- (A) Blocks which are along collector and arterial streets normally should be approximately one thousand feet in length;
- (B) Block lengths near intersections of other arterial and collector streets shall be no less than six hundred sixty feet long, unless the Director allows a reduced length because of unusual circumstances.
- In order to minimize the effect of lengthy expanses of walls along collector and arterial streets, block lengths near intersections of other arterial and collector streets shall be no more than one thousand two hundred feet long, unless in a particular case traffic-control considerations or existing conditions do not permit such design and a greater block length is approved by both the Director and the Director of Public Works. (See Figure 2 - Residential Blocks on the Exterior of Subdivisions.)



(Ord. 5275 § 62 (part), 2000)

**18.12.248 COMMERCIAL OR INDUSTRIAL SUBDIVISIONS -- BLOCKS REQUIREMENTS.**

Commercial or industrial blocks shall be of a length and width necessary and appropriate for the proposed use with adequate provision for off-street parking and deliveries.

(Ord. 5275 § 62 (part), 2000)

**18.12.250 DRIVEWAYS.**

(A) Driveway design and construction shall comply with City standards.

(B) For nonresidential development, or for residential lots other than single-family or duplex lots, the number, type and location of driveways must first be approved by the Director of Public Works.

(C) Except as otherwise permitted by this Chapter or by City standards, or as otherwise approved by the Director of Public Works:

(1) For any single-family or duplex residential lot, no more than a single entrance or circular driveway shall be provided.

(2) No driveway access shall be permitted from the side or rear yard of any residential lot onto any primary or secondary thoroughfare so designated on the City's Master Plan of Streets and Highways.

(Ord. 5275 § 64, 2000)

**18.12.260 STREET LIGHTING.**

Street lighting for public streets shall be designed, installed or upgraded in accordance with City standards unless the City Council allows an exception. The installation or upgrading of conforming lighting may be deferred if the deferral is approved by the City Council and the applicant executes a covenant running with land agreement to secure the installation or upgrade.

(Ord. 5275 § 65, 2000; Ord. 3806 §§ 122 (part), 148, 1994)



**18.12.270 ACCESS CONTROL GATES AND STORAGE AREAS.**

When utilized on private streets or drives, access control gates and storage areas shall be designed, installed and located in accordance with City standards. Access control gates and all appurtenant facilities and equipment shall not be located in the public right-of-way. An adequate vehicle queuing area as determined by the Director of Public Works must be provided in order to prevent blockage of public streets. A pedestrian gate separate from the vehicular movement area shall also be provided.

(Ord. 5275 § 66, 2000: Ord. 3806 §§ 122 (part), 149, 1994)

**18.12.280 EMERGENCY ACCESS GATES.**

All emergency access gates shall be designed, installed and maintained in accordance with City standards.

(Ord. 3806 §§ 122 (part), 150, 1994)

**18.12.290 PRIVATE DRIVES CONSTRUCTION.**

Private drives shall be constructed in sufficient manner and width to accommodate anticipated on-site traffic conditions and shall be in accordance with any applicable City standards.

(Ord. 5275 § 67, 2000: Ord. 3806 §§ 122 (part), 151, 1994)

**18.12.300 TRAFFIC CIRCULATION SAFETY.**

Subdivisions shall be designed to provide safe and convenient living environments and traffic circulation. Whenever blocks are longer than one thousand two hundred feet, the Planning Commission may require the dedication and construction of pedestrian walkways, pedestrian or bicycle pathways or greenbelts of not less than five feet in width where deemed necessary for circulation and access to schools and playgrounds. The complete length of any such way shall be fully visible from the adjacent street.

(Ord. 3806 §§ 122 (part), 152, 1994)

**18.12.310 VEHICULAR ACCESS PROHIBITION TO PRIMARY OR SECONDARY THOROUGHFARES.**

Each lot within a subdivision shall have access to a public or private street or private drive that complies with City standards. Lots with residential zoning and having less than one hundred feet on any side adjacent to a primary or secondary thoroughfare, as designated on the City's Master Plan of Streets and Highways, shall be prohibited vehicular access to the primary or secondary thoroughfare. The access prohibition shall be clearly indicated on the recorded final map. Unless no alternative exists due to the size or depth of the land to be divided, no residential lot shall front onto a primary or secondary thoroughfare. All such lots shall be oriented to have either their rear or side yard lines adjacent to the primary or secondary thoroughfare.

(Ord. 5275 § 68, 2000: Ord. 3806 §§ 122 (part), 153, 1994)

**18.12.320 LOTS -- CITY BOUNDARY LINE.**

Lots shall not be divided by City boundary lines.

(Ord. 3806 §§ 122 (part), 154, 1994)

**18.12.330 LOTS -- MINIMUM AREA REQUIREMENTS.**

Minimum lot area requirements shall be established in accordance with City zoning regulations. In addition, the size of any lot which is not served by public water supply or which is not served by a public sanitary sewer system must comply with applicable Clark County District Board of Health standards.

(Ord. 5275 § 69, 2000: Ord. 3806 §§ 122 (part), 155, 1994)

**18.12.340 SIDEWALKS.**

Sidewalks shall be provided in accordance with City standards. Alternative pedestrian ways, greenbelt systems or other sidewalk designs may be approved by the Director and the Director of Public Works. The final sidewalk system shall provide a logical and continuous path to area pedestrian destinations, including schools and playgrounds. Sidewalk and pedestrian way width and construction shall be in accordance with City standards. If more restrictive standards beyond those adopted by the City also apply to the design and location of sidewalks, it shall be the responsibility of the developer (and not the City) to enforce compliance with such regulations.

(Ord. 5275 § 70, 2000: Ord. 3806 §§ 122 (part), 156, 1994)

**18.12.350 DRAINAGE IMPROVEMENTS AND FACILITIES.**

The design and construction of all curbs, gutters and other drainage improvements and facilities shall comply with City standards and with any site-specific drainage plan and technical drainage study that has been accepted or approved by the City.

(Ord. 3806 §§ 122 (part), 157, 1994)

**18.12.360 CURBS AND GUTTERS.**

All curbs and gutters on streets with a right-of-way width of sixty feet or more shall be L-type. On all other streets, whether private or public, thirty-inch roll-type curb and gutter may be allowed as long as the requirements of the site-specific drainage plan and technical drainage study do not prohibit the use of roll-type curb due to anticipated drainage flows.

(Ord. 3806 §§ 122 (part), 158, 1994)

**18.12.370 SANITARY SEWER IMPROVEMENTS.**

The design and construction of all sanitary sewer improvements shall comply with City standards.

(Ord. 3806 §§ 122 (part), 159, 1994)

**18.12.380 PUBLIC SANITARY LINES -- LOCATION.**

Public sanitary sewer lines shall be located in dedicated public rights-of way, public streets, public sanitary sewer easements or public alleys. In any case where a public sanitary sewer line is located in a public utility easement, a sanitary sewer easement shall also be dedicated. (Ord. 5275 § 71, 2000: Ord. 3806 §§ 122 (part), 160, 1994)

**18.12.390 PUBLIC SANITARY LINES -- INSTALLATION.**

Except in commercial subdivisions, public sanitary sewer lines shall be installed to provide laterals to each lot. Laterals that serve single-family dwellings shall have a minimum diameter of four inches and be extended to the property line. Plans and profiles showing the exact location of constructed public sewer lines along with all laterals shall be submitted to the City upon completion of construction.

(Ord. 5275 § 72, 2000: Ord. 3806 §§ 122 (part), 161, 1994)

**18.12.400 SANITARY SEWER CLEANOUT.**

No sanitary sewer cleanout shall be permitted in public rights-of-way.  
(Ord. 5275 § 73, 2000: Ord. 3806 §§ 122 (part), 162, 1994)

**18.12.410 WATER SUPPLY -- ADEQUACY.**

Water supply shall be adequate for all domestic use plus fire protection. The system is adequate if it can furnish the required fire flow (in gallons per minute) from any fire hydrant for the required duration of time while the required residual pressures are maintained in the system. Fire flow shall be provided in accordance with the requirements of the Fire Code and the Department of Fire and Rescue.

(Ord. 5275 § 74, 2000: Ord. 3806 §§ 122 (part), 163, 1994)

**18.12.420 WATER SUPPLY -- DELIVERED BY PUMP.**

Adequate water supply does not include the extent to which a system depends upon pumps delivering directly to mains. Required fire flow shall be available even though pumps may not be operating.

(Ord. 3806 §§ 122 (part), 164, 1994)

**18.12.430 WATER SUPPLY -- SOURCE OTHER THAN WATER DISTRICT.**

For a subdivision that proposes a water supply from a source other than the Las Vegas Valley Water District, the subdivider must submit to the City a copy of a State well permit; the design showing pressure, capacity, potential population capable of being served; and measures necessary to comply with National Board of Fire Underwriters recommended fire flow. The subdivider must submit an agreement or other written commitment satisfactory to the City guaranteeing a water supply for the subdivision. Lines to hydrants shall conform to recommendations of the National Board of Fire Underwriters.

(Ord. 3806 §§ 122 (part), 165, 1994)

**18.12.440 WATER SUPPLY -- FROM WELLS.**

Any water supply obtained from wells shall be clearly shown on the map. A statement shall be submitted stating the capacity of the well, pressure, population that can be served and State certificate number issued for each well.

(Ord. 3806 §§ 122 (part), 166, 1994)

**18.12.450 FIRE HYDRANTS -- DETERMINATION OF NUMBER REQUIRED.**

For purposes of determining the number of hydrants required for a particular development, the maximum amount of flow per hydrant that may be counted in determining the system's adequacy is one thousand five hundred gallons per minute. The criteria for determining the fire flow and number of hydrants for any specific subdivision shall be those set forth in the Uniform Fire Code and the I.S.O. Manual adopted by the City.

(Ord. 3806 §§ 122 (part), 167, 1994)

**18.12.460 FIRE HYDRANTS -- PLACEMENT.**

Fire hydrants shall be spaced in accordance with the requirements of the Fire Code and the Department of Fire and Rescue.

(Ord. 5275 § 75, 2000; Ord. 3806 §§ 122 (part), 168, 1994)

**18.12.470 FIRE HYDRANTS -- LOCATION.**

Hydrants shall be located in conformance with applicable Standard Drawings and the Uniform Fire Code. No hydrant shall be located inside or within twenty feet of the required right-of-way radius of a cul-de-sac. Public fire hydrant easements shall be provided for all public fire hydrants not located within public street rights-of-way.

(Ord. 3806 §§ 122 (part), 169, 1994)

**18.12.480 FIRE HYDRANTS -- INSTALLATION.**

Fire hydrants shall be installed prior to the commencement of any combustible construction in accordance with the requirements of the Fire Code and the Department of Fire and Rescue. All-weather access, as approved by the Department of Fire and Rescue, shall be provided to all hydrants and combustible construction.

(Ord. 5275 § 76, 2000; Ord. 3806 §§ 122 (part), 170, 1994)

**18.12.490 FIRE HYDRANTS -- SPECIFICATIONS.**

Hydrants shall conform to the latest edition of American Water Works Standard, C502, for fire hydrants, and the specifications set forth in City standards.

(Ord. 3806 §§ 122 (part), 171, 1994)

### **18.12.500 LANDSCAPING PLAN.**

Where landscaping is proposed or required for a residential subdivision, a landscaping plan shall be provided by the subdivider as an integral part of the subdivision design. Such a plan shall be prepared and submitted with each final map application addressing the landscape design of the subdivision with respect to such features as wall or fence design; land forms or berms; rocks and boulders; trees and plant materials; sculpture, art, paving materials, street furniture; subdivision entrance statements; common area landscaping; and other open space areas. Landscaping shall conform to the City's Landscape, Wall and Buffer Standards and all other applicable City requirements. In no case shall landscaping or landscaping features be permitted that impede proper visibility at intersections or driveways.

(Ord. 5275 § 77, 2000; Ord. 3806 §§ 122 (part), 172, 1994)

### **18.12.510 PERIMETER WALL REQUIREMENTS.**

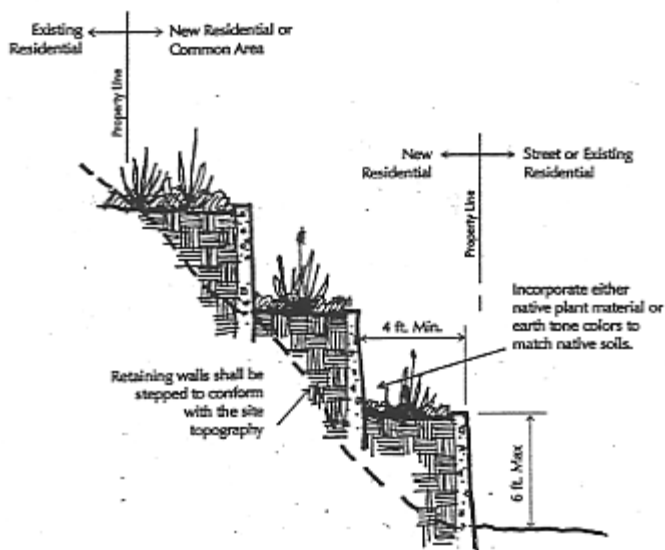
In order to reduce the visual impact of screening and retaining methods, the following standards shall apply to perimeter walls, as illustrated in Figure 3 -- Perimeter Wall Requirements:

- (A) Where a property line abuts a street or residential property, and where slope differentials require retaining walls six feet or greater in height:
  - (1) For each six feet of vertical wall height, a minimum of four-foot horizontal offset shall be provided. Landscaping shall be provided within the offset area.
  - (2) Walls shall be stepped to generally conform to the topography of the site.
  - (3) Walls with a change in alignment shall to the greatest practical extent incorporate the use of graduating steps rather than sharp corners.
  - (4) Walls shall either incorporate the use of native materials or be earth tone colors to match the native materials.
  - (5) Fifty percent of the step-back area that is landscaped may apply to the development's open space requirements.
- (B) In addition to the standards set forth in Subsection (A), where residential property lines abut a street or another residential property, and where slope differentials require retaining walls six feet or greater in height, the use of wrought iron or other similar open materials is encouraged for security walls, such as for pools.
- (C) All walls, setback areas and landscaping created for the purpose of complying with this Section shall be located on private property. If in common ownership, the property shall be owned and maintained in conformance with any applicable maintenance requirements of this Title.

- (D) A subdivider may propose an alternative design for perimeter walls to satisfy the intent of this Section to reduce the visual impact of screening and retaining walls, especially if the abutting residential property is at a higher elevation than the abutting nonresidential property. Such a proposal is subject to review and approval by the Director.

Figure 3

## Retaining Wall Step-Back Requirements



(Ord. 5275 §§ 78, 105, 2000)

**CHAPTER 18.14 IMPROVEMENTS****18.14.010 CONSTRUCTION AGREEMENT.**

The subdivider is responsible for the construction of all public improvements and for any private improvements associated with the parcel map or subdivision that may be required by the City. Required improvements shall be completed prior to the recordation of the parcel map or final map, unless the subdivider enters into an agreement with the City to install such improvements as provided for in Section 18.14.020 of this Chapter or has executed a covenant running with land agreement, whichever is applicable, as determined by the Department of Public Works. Required dedications must be accomplished prior to the release of the parcel map or final map or such dedications must be noted on the approved maps as being offered for dedication. (Ord. 3806 §§ 173 (part), 174, 1994)

**18.14.015 COMMON AREA IMPROVEMENTS REQUIREMENTS.**

- (A) In connection with the approval of any parcel map or final map, the developer or subdivider must provide for the installation of common area improvements by obtaining the City's approval of either a phasing plan or a development agreement, as determined by the Director and the Director of Public Works.
- (B) The phasing plan or development agreement shall set out a development schedule for all common area improvements, including but not limited to water, sewer and storm drainage lines; streets; open space improvement; trails; parks; and landscaping. Except as otherwise provided in Subsection (C), completion of common area improvements within any residential subdivision shall be scheduled to be concurrent with development (e.g., when fifty percent of the development is completed, at least fifty percent of the common area improvements shall be completed). Calculation of the percentage of the development that is completed shall be based upon the number of building permits issued.
- (C) All common area improvements within any residential subdivision shall be completed when seventy-five percent of the development is completed (e.g., when seventy-five percent of the development is completed, one hundred percent of the common area improvements shall be completed). Calculations of the percentage of the development that is completed shall be based on the number of building permits issued.
- (D) A phasing plan is subject to review and approval by the Director, as are revisions to the plan. The Director's decision may be appealed to the City Council.
- (E) A development agreement is subject to review and approval by the City Council.



- (F) In the case of either a phasing plan or development agreement, the City is authorized to require security or a performance guarantee for the installation of common area improvements. The amount of the required security or performance guarantee shall be established by the Director, and the form of security or performance guarantee must be acceptable to the City Attorney. To the extent possible, the provisions of Section 18.14.020 shall apply directly or by analogy to the installation of improvements and security required under this Section.
- (G) In accordance with Section 18.08.120, a specific parks in-lieu-of plan must be approved with the tentative map if the developer proposes park improvements in lieu of paying residential construction taxes.
- (H) The Director may grant exceptions to the completion requirements set forth in Subsection (B) as they relate to the installation of paving and associated landscaping improvements in parking areas within commercial subdivisions.
- (Ord. 5275 § 79, 2000)

#### **18.14.020 SECURED AGREEMENT REQUIRED.**

The subdivider shall execute an agreement that guarantees the construction of the required public improvements and shall provide security for their construction in an amount equal to the estimated cost of construction plus ten percent additional for contingencies. The agreement shall be secured by such good and sufficient bond or other security as is deemed appropriate by the City to protect the public interest, and shall be in an amount determined to be sufficient to complete all required improvements and to remove all rubbish, trash, debris, surplus material and equipment from the area. The Director of Public Works shall be responsible for review and, if deemed acceptable, approval of all cost estimates for construction of required public improvements. The subdivider's engineer shall be responsible for submitting all improvement plans and quantity estimates in a manner and form that complies with City requirements.

(Ord. 5275 § 80, 2000; Ord. 3806 §§ 173 (part), 175, 1994)

#### **18.14.030 SECURITY DOCUMENTS.**

The surety documents or other documents of security required in connection with an agreement to install improvements shall specify the duration of the security and its manner of release, and shall provide remedies in the event of default. Such security may be in the form of:

- (A) A cash deposit or approved government securities;
- (B) A performance or surety bond issued by a company authorized to issue such bonds in Nevada;

- (C) An agreement with a lending institution operating under Nevada law; providing, that the institution shall reserve sufficient funds out of the subdivider's construction loan (or funds otherwise set aside for the use of the subdivider) to assure completion of all required improvements, shall retain ten percent of the funds until the improvements are accepted by the City and shall not release any funds without the approval of the Director of Public Works;
  - (D) A first deed of trust on real property located in or near the City. The deed of trust must name the City as beneficiary and be accompanied by appropriate agreements or other documents that sufficiently bind the subdivider and trustor to the satisfaction of the City Attorney. The appraised market value of the property which is the subject of the deed of trust must equal or exceed one hundred twenty-five percent of the value of the amount of security determined necessary by the Director of Public Works; or
  - (E) In the case of improvements whose estimated cost is fifty thousand dollars or less, an agreement with the City providing that, in consideration of issuing a building or grading permit, the City may withhold certificates of occupancy or the inspection of buildings associated with the project unless and until the improvements have been completed to the City's satisfaction.
- (Ord. 5275 § 81, 2000: Ord. 5207 § 1, 2000: Ord. 3806 §§ 173 (part), 176, 1994)

#### **18.14.040 SPECIAL IMPROVEMENT DISTRICTS.**

A subdivider may request the inclusion of a subdivision within a special improvement district and the City may include a subdivision in accordance with applicable procedures. If the City elects to proceed with a district that includes a subdivision, the City shall release the subdivider from the improvement guarantee executed pursuant to Section 18.14.030 above. The obligation to release shall not accrue until the contract for the special improvement district project has been awarded, and the release shall be only to the extent that the work of improvement will be accomplished through the special improvement district.

(Ord. 3806 §§ 173 (part), 177, 1994)

**CHAPTER 18.16 APPEALS - ENFORCEMENT****18.16.010 APPEALS -- PARCEL MAP DECISIONS.**

Any person aggrieved by a decision of the Director or the Director of Public Works to approve or deny a parcel map may appeal to the Planning Commission in writing within fifteen days after receiving written notice of the decision. All appeals of parcel map decisions shall be filed with the Director and be accompanied by a nonrefundable fee as set forth in the fee schedule. The Planning Commission shall hear the appeal within thirty days after the appeal is filed. If the appeal is denied, the applicant shall have seven days in which to file an appeal with the City Council. The City Council shall hear the appeal within thirty days after the appeal to the City Council is filed. All appeals granted by the Planning Commission shall be forwarded automatically to the City Council for final action.

(Ord. 5275 § 82, 2000; Ord. 3806 §§ 178 (part), 179, 1994)

**18.16.020 APPEALS -- TENTATIVE OR FINAL MAP DECISIONS.**

(A) Any person aggrieved by the final action of the Planning Commission with respect to a tentative map may appeal that action, in writing, to the City Council within seven days after receiving written notice of the decision. All appeals shall be filed with the Director and be accompanied by a nonrefundable fee as set forth in the fee schedule. The City Council shall hear the appeal within thirty days after the appeal is filed.

(B) Any person aggrieved by the final action of the Director with respect to a final map may appeal that action, in writing, to the Planning Commission within seven days after receiving written notice of the decision. All appeals shall be filed with the Director and be accompanied by a nonrefundable fee as set forth in the fee schedule. The Planning Commission shall hear the appeal within thirty days after the appeal is filed.

(Ord. 5275 § 83, 2000; Ord. 3806 §§ 178 (part), 180, 1994)

**18.16.030 APPEALS -- DECISIONS CONCERNING REQUIREMENTS OF TITLE.**

Except as otherwise provided for appeals concerning maps, any applicant who is aggrieved by any decision made by City staff concerning the requirements of this Title may appeal that decision by submitting a letter to the Director which states the nature of the appeal and why the appeal should be granted, along with a nonrefundable fee as set forth in the fee schedule. Any drawings or other materials needed to support the appeal shall be submitted with the letter. The appeal shall be heard by the Planning Commission within thirty days of acceptance of the letter by the Director. The Planning Commission shall make a recommendation regarding the appeal. Following action by the Planning Commission, the appeal shall be scheduled for the next available agenda of the City Council, which shall make the final determination on the appeal.

(Ord. 3806 §§ 178 (part), 181, 1994)

**18.16.040 WAIVERS.**

An applicant who wishes to have any requirement of this Title waived must apply for said waiver by submitting a letter to the Director indicating the nature of the waiver sought and stating why it should be granted, along with a nonrefundable fee as set forth in the fee schedule. Any drawings or other materials needed to support the application shall be submitted with the letter. The request for waiver shall be heard by the Planning Commission within thirty days of acceptance of the application by the Director. The Planning Commission shall make a recommendation regarding the waiver. Following action by the Planning Commission, the request shall be scheduled for the next available agenda of the City Council, which shall make the final determination on the waiver.

(Ord. 3806 §§ 178 (part), 182, 1994)

**18.16.050 SALE OF LAND PROHIBITED PRIOR TO RECORDING OF APPROVED PARCEL MAP.**

It is unlawful for any person to sell, offer for sale or cause or permit to be sold or offered for sale, any portion of any subdivision or other division of land in the City prior to the recording of an approved parcel map or final map with the County Recorder.

(Ord. 3806 §§ 178 (part), 183, 1994)

**18.16.060 COMPLIANCE WITH TITLE REQUIRED.**

It is unlawful for any person to subdivide land or develop the property therein contrary to the provisions of this Title.

(Ord. 3806 §§ 178 (part), 184, 1994)

**18.16.070 VIOLATION -- DENIAL, SUSPENSION OR REVOCATION OF BUILDING PERMIT -- STOP-WORK ORDER.**

If a subdivider or other person subject to the requirements of this Title violates or falls to comply with any requirement of this Title or breaches any promise or obligation entered into pursuant to this Title, the City may deny, suspend or revoke any corresponding building permit and may issue a stop-work order with respect thereto. In addition, if adequate infrastructure improvements are not in place in connection with a subdivision or other development regulated by this Title, and no plan for additional capacities are under construction, the City may deny or suspend any corresponding building permit. The City may also suspend the work of a subdivider for such period as deemed necessary for failure to comply with City standards, because of unfavorable weather conditions, or for other reasons consistent with the public health, safety and welfare.

(Ord. 5275 § 84, 2000; Ord. 3806 §§ 178 (part), 185, 1994)

## **CHAPTER 18.18 REVERSIONARY MAPS**

### **18.18.010 AMENDMENT OF PLATS -- GENERALLY.**

Any amendment of a recorded plat, parcel map or other record which changes or purports to change the physical location of any monument, property line or boundary line shall be subject to the requirements of NRS Chapter 278 regarding the amendment of plats.

(Ord. 3806 §§ 186 (part), 187, 1994)

### **18.18.020 APPLICATION -- REVIEW -- FINAL ACTION.**

Any application to revert any final map, parcel map or other instrument to undivided acreage shall comply with the requirements of NRS Chapter 278 regarding the abandonment of maps or reversion of divided land to acreage. The application shall be filed with the Director, who shall be responsible for reviewing and acting upon the application.

(Ord. 5275 § 85, 2000: Ord. 3806 §§ 186 (part), 188, 1994)

### **18.18.030 FINAL MAP OF REVERSION -- PREPARATION.**

The final map of reversion shall be prepared by a professional land surveyor licensed pursuant to NRS Chapter 625. The surveyor shall include in the required surveyor's certificate all the information required by NRS Chapter 278, including the representation that the map has been prepared from information on a recorded map or maps that are being reverted. The certificate:

(A) May include a statement that the professional land surveyor assumes no responsibility for the existence of the monuments or for correctness of other information shown on or copied from the recorded document(s).

(B) Shall include information which is sufficient to identify clearly the recorded map or maps being reverted.

(Ord. 5275 § 87, 2000: Ord. 3806 §§ 186 (part), 189, 1994)

### **18.18.040 FINAL MAP OF REVERSION -- LEGIBILITY -- COPIES.**

The final map of reversion shall be clearly and legibly drawn pursuant to the requirements of NRS Chapter 278. The application shall be accompanied by fourteen copies of a twenty-four by thirty-two inch original drawing which complies with the requirements of that chapter.

(Ord. 3806 §§ 186 (part), 190, 1994)

**18.18.050 APPLICATION -- CONTENTS.**

The application for a map of reversion shall include:

- (A) A report from a title company which lists the names of each owner of record of the land and each holder of record of a security interest in the land, if the security interest was created by a mortgage or a deed of trust. The report must be updated as necessary so that it is current within seven days of the date the map is released for recording; and
  - (B) The written consent of each holder of record of a security interest listed pursuant to the section above to the preparation and recordation of the map of reversion or abandonment. A holder of record of a security interest may consent by signing the map of reversion or abandonment or a separate document that is filed with the map of reversion or abandonment and declares his consent to the reversion or abandonment, provided the map contains a notation that a separate document has been recorded to this effect.
- (Ord. 5275 § 88, 2000; Ord. 3806 §§ 186 (part), 191, 1994)

**18.18.060 CERTIFICATE OF CONSENT.**

A map of reversion or abandonment must include a certificate, signed and acknowledged pursuant to NRS 111.270, by each person who is an owner of the land, consenting to the preparation and recordation of the map for the purpose of reversion or abandonment.

(Ord. 3806 §§ 186 (part), 192, 1994)

**18.18.070 CERTIFICATE OF PLANNING COMMISSION APPROVAL.**

A map of reversion or abandonment presented to the county recorder for recording shall include a certificate by the Secretary of the Planning Commission stating that the Planning Commission approved the map.

(Ord. 3806 §§ 186 (part), 193, 1994)

**18.18.080 LIEN DEEMED NOT TO BE AN INTEREST IN LAND.**

For purposes of Sections 18.18.050 and 18.18.060 of this Chapter, a lien for taxes or special assessment and a trust interest under a bond indenture shall be deemed not to be an interest in land.

(Ord. 3806 §§ 186 (part), 194, 1994)

**18.18.090 REVERSION OF CITY-OWNED STREET OR EASEMENT.**

If a map of reversion or abandonment includes the reversion of any street or easement owned by the City or other governmental entity, the applicable provisions of NRS 278.480 shall be followed before approval of the map.

(Ord. 3806 §§ 186 (part), 195, 1994)

## **CHAPTER 18.20 VACATIONS**

### **18.20.010 PETITIONS -- FORM -- CONTENTS.**

A public street or easement, or the City's interest in a government patent reservation, may be vacated upon the petition of at least one owner of property abutting the area proposed to be vacated, or upon the initiative of the City. In the case of a petition by an abutting property owner, two copies of a properly signed petition shall be filed with the Secretary of the Planning Commission on a form provided by the Department of Planning and Development. The petition shall contain a written statement describing the area to be vacated and the reasons for the proposed request, and either a complete legal description from which the right-of way or other property proposed to be vacated may be plotted or a drawing acceptable to the Department of Planning and Development showing an accurate representation of the proposed vacation.

(Ord. 5275 § 89, 2000; Ord. 3806 §§ 196 (part), 197, 1994)

### **18.20.020 PETITIONS -- SUFFICIENCY.**

A petition for vacation must be accompanied by a deed or other sufficient evidence of ownership. In the case of a City-initiated vacation, an appropriate written request shall be filed and processed as if it were a petition under this Chapter.

(Ord. 5275 § 90, 2000; Ord. 3806 §§ 196 (part), 198, 1994)

### **18.20.030 PETITIONS -- PUBLIC RECORD.**

Upon receipt of a properly executed petition, the Secretary of the Planning Commission shall maintain said petition, together with all pertinent attachments and exhibits, in the permanent files of the Department of Planning and Development as a public record.

(Ord. 5275 § 91, 2000; Ord. 3806 §§ 196 (part), 199, 1994)

### **18.20.040 PETITIONS -- FILING -- WHEN.**

In order to provide sufficient time for the necessary investigation by the Planning Commission and its Secretary and agents, a petition for vacation must be filed with the Secretary of the Planning Commission a minimum of thirty days prior to the date of the meeting of the Planning Commission at which said petition for vacation is to be heard and considered.

(Ord. 3806 §§ 196 (part), 200, 1994)



**18.20.050 PUBLIC HEARING AND NOTICE.**

The Planning Commission shall hold a public hearing on the petition for vacation and shall report its finding to the City Council. The City Council shall notify by certified mail each owner of property abutting the proposed vacation and cause a notice to be published at least once in a newspaper of general circulation in the City or County, setting forth the extent of the proposed vacation and setting a date for public hearing, which must be not less than ten days and not more than forty days after the date the notice is first published.

(Ord. 3806 §§ 196 (part), 201, 1994)

**18.20.060 ORDER OF VACATION.**

If, after holding the public hearing, the City Council is satisfied that the public will not be materially injured by the proposed vacation, it may order the street, easement or government patent reservation vacated. The City Council may make the order conditional and the order shall become effective only upon the fulfillment of the conditions prescribed. In the case of a government patent reservation, the order may take the form of a relinquishment of interest or its equivalent, and the order shall be treated as an order of vacation under the provisions of this Chapter.

(Ord. 5275 § 92, 2000: Ord. 3806 §§ 196 (part), 202, 1994)

**18.20.070 CONTINUATION OF UTILITY EASEMENTS.**

If a utility has an easement over any dedicated right-of-way which is vacated, the City Council shall provide in its order for the continuation of that easement. When the City Council vacates its interest in U.S. Government Patent Reservations, easements for utilities will not be retained because they are not included within the City's interest and, therefore, are not affected by vacation of the City's interest.

(Ord. 3806 §§ 196 (part), 203, 1994)

**18.20.080 REQUIREMENTS TO BE MET PRIOR TO RECORDATION OF ORDER.**

Whenever the City Council approves a vacation, all applicable City code requirements and design standards of all City departments must be met prior to recordation of the Order of Vacation.

(Ord. 3806 §§ 196 (part), 204, 1994)

**18.20.090 MODIFICATION OF PUBLIC IMPROVEMENTS.**

All public improvements adjacent to or in conflict with any proposed vacation shall be modified, as necessary, at the expense of the applicant or other responsible person, as required by the Department of Public Works. Approval of the vacation may be conditioned upon a requirement that existing public improvements and appurtenances with a potential salvage value be:

(A) Removed in a manner designed to protect that value; and

(B) Delivered to a City facility for reuse, as directed by the Department of Public Works.  
(Ord. 5275 § 93, 2000: Ord. 3806 §§ 196 (part), 205, 1994)

**18.20.100 DRAINAGE PLAN AND TECHNICAL DRAINAGE STUDY.**

Where determined necessary by the Department of Public Works, a drainage plan and technical drainage study shall be submitted by the applicant to and approved by that department prior to recordation of an order of vacation. All drainage easements recommended within the approved drainage study shall be retained.

(Ord. 3806 §§ 196 (part), 206, 1994)

**18.20.110 SIGNAGE.**

As and to the extent deemed necessary by the Department of Public Works, the applicant or other responsible person shall install appropriate signage to clearly state that the area vacated is private property and shall construct appropriate off-site improvements or erect barricades to block through traffic movements.

(Ord. 3806 §§ 196 (part), 207, 1994)

**18.20.120 REMOVAL OF STREETLIGHTS.**

All public streetlights located within the vacation area shall be removed and delivered to the City Electrical Yard by the applicant or other responsible person, as required by the Department of Public Works. The applicant or other responsible person shall pay all costs associated with the rerouting of conduits and electrical circuits and any additional electrical service which is required to maintain the continuity of surrounding streetlights.

(Ord. 3806 §§ 196 (part), 208, 1994)

**18.20.130 DEDICATION OF RADIUS CORNERS.**

Where needed to provide proper transition of right-of-way, the applicant or other responsible person shall dedicate radius corners as required by the Department of Public Works prior to recordation of an order of vacation.

(Ord. 3806 §§ 196 (part), 209, 1994)

**18.20.140 ORDER NOT RECORDED UNTIL ALL REQUIREMENTS MET -- EXCEPTION.**

An order of vacation shall not be recorded until all the requirements imposed on the vacation have been met, except that any requirement may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with Section 18.14.030.

(Ord. 5275 § 94, 2000: Ord. 3806 §§ 196 (part), 210, 1994)

**18.20.150 TIME LIMITATION ON RECORDATION.**

If the order of vacation is not recorded within one year after approval by the City Council or within such additional time as may be granted by the Director, approval of the vacation terminates and a new petition must be submitted.

(Ord. 5275 § 95, 2000: Ord. 3806 §§ 196 (part), 211, 1994)

**CHAPTER 18.22 FEE SCHEDULE****18.22.010 ADOPTED.**

There is adopted a fee schedule applicable to applications, petitions and proceedings under this Title. The fee schedule, which is attached to the ordinance codified in this Chapter and is incorporated by this reference, shall be maintained on file in the office of the City Clerk. The fee schedule may be revised or amended from time to time by resolution of the City Council.

(Ord. 3806 §§ 212 (part), 213, 1994)

**18.22.020 WHEN PAYABLE.**

Filing fees chargeable under this Title are due and payable at the time an application or petition is filed.

(Ord. 3806 §§ 212 (part), 214, 1994)

**CHAPTER 18.24 APPENDICES****18.24.010 ADOPTED.**

There are adopted, as part of this Chapter, five appendices, designated as Appendices “A,” “B,” “C,” “D” and “E,” which are attached to the ordinance codified in this Chapter and copies of which shall be maintained in the office of the City Clerk and the Department of Planning and Development.

(Ord. 5275 § 97, 2000)

**CHAPTER 18.26 OFF-SITE IMPROVEMENTS****18.26.010 MAY BE REQUIRED.**

In connection with development approvals or permit approvals for residential and nonresidential developments that are not otherwise subject to the land division requirements of this Title, the City may require, as a condition of approval, that the developer install one or more of the following, to applicable City standards:

(A) Appropriate off-site improvements;

(B) Site access improvements; and

(C) Private streets and common area improvements that are proposed to serve the development.

(Ord. 5275 § 98, 2000: Ord. 3806 §§ 217 (part), 218, 1994)

**18.26.020 OFF-SITE IMPROVEMENTS AGREEMENT -- SECURITY.**

In order to assure the installation of any improvements required pursuant to Section 18.26.010, the developer may be required to do one or more of the following:

(A) Enter into a development agreement or covenant running with land agreement;

(B) Enter into an off-site improvements agreement and post adequate security therefor in accordance with the provisions of Chapter 18.14;

(C) Provide an alternate or equivalent means of assurance that is satisfactory to the City, including the payment of moneys in lieu of improvements.

(Ord. 5275 § 99, 2000: Ord. 3806 §§ 217 (part), 219, 1994)

**CHAPTER 18.28 MODEL HOME PERMITS****18.28.010 ISSUANCE -- REQUIRED CONDITIONS.**

With respect to any separately identified subdivision, building permits may be issued for not more than six model homes before the final subdivision map pertaining thereto is recorded if and only if all of the following conditions are met:

- (A) The final map has been approved by the Director or the Planning Commission.
- (B) All preconstruction requirements of zoning and plot plan approvals have been met.
- (C) The site and setbacks of the model homes are in conformance with the final map and the approved zoning.
- (D) Plan checking of the model homes has been completed and all the items described in Chapter 18.10 have been submitted and approved in accordance therewith.
- (E) The following departments have certified in writing, through their authorized representatives, that their respective preconstruction requirements have been met:
  - (1) The Department of Public Works;
  - (2) The Department of Planning and Development; and
  - (3) The Department of Fire and Rescue.
- (F) The applicant for such model home permits has acknowledged and agreed in writing that:
  - (1) No changes to the final map as approved will be made, except those required by the City, and all construction and improvements will conform to the approved map.
  - (2) The permitted model homes will not be sold or occupied for residential purposes until the final map has been recorded.
  - (3) The issuance of model home permits will be expressly limited to the model home use and will not be construed as a commitment by the City to approve the final map or to approve any zoning matter.
  - (4) The applicant will indemnify, defend and hold the City and its officers, agents and employees harmless from any liability and from and against any claim, loss or damage it or they may incur because of the issuance of any such permit.

(Ord. 5275 § 100, 2000; Ord. 3827 §§ 1 (part), 2, 1994; Ord. 3806 (part), 1994; Ord. 3400 § 2, 1988)

**18.28.020 VIOLATION -- REVOCATION -- STOP-WORK ORDER.**

If the permittee or applicant violates or fails to comply with any requirement of this Title or Title 19A of this Code or breaches any promise or obligation entered into pursuant to this Chapter, the City may deny, suspend or revoke any building permit for a model home and may issue a stop-work order with respect thereto.

(Ord. 5275 § 101, 2000: Ord. 3827 §§ 1 (part), 3, 1994: Ord. 3806 (part), 1994: Ord. 3400 § 3, 1988)



**CHAPTER 18.30 MULTIPLE SPECIES HABITAT CONSERVATION****18.30.010 DEFINITIONS.**

As used in this Chapter, the following terms shall have the following meanings:

“Development permit” means an on-site or off-site permit issued by the City to authorize the development of a parcel which has not previously been improved in accordance with all applicable City ordinances. The term includes building permits and grading permits for construction activity, but does not include demolition permits or temporary power permits.

“Implementing Agreement” means the document entitled “Clark County Multiple Species Habitat Conservation Plan Implementing Agreement,” approved by the City Council on November 1, 2000, and as thereafter modified.

“Mitigation fee” means the fee imposed pursuant to the provisions of this Chapter.

“Multiple Species Habitat Conservation Plan” means the “Clark County Multiple Species Habitat Conservation Plan” approved by the City Council on August 18, 1999, and as thereafter modified.

“Parcel” means a parcel of real property that is the subject of a development permit application.

“Residential unit” means a building or portion thereof used by one family and containing but one kitchen, and designed for single-family residential purposes only.

“Section 10(a) permit” means a permit issued by the Secretary of Interior pursuant to Section 10(a) of the Federal Endangered Species Act of 1973, 16 U.S.C. Section 1539, to allow the incidental taking of threatened or endangered species in the course of otherwise lawful activities. (Ord. 5268 § 2 (part), 2000)

**18.30.020 PURPOSE OF PROVISIONS.**

The purposes of this Chapter are to:

- (A) Provide funds to implement conservation actions within the City to protect various habitats and species located within the City;
- (B) Comply with the terms of the Multiple Species Habitat Conservation Plan and the corresponding Implementing Agreement, both of which have been approved by the City Council; and

(C) Comply with Section 10(a) permits that have been or will be issued with regard to development activity within the City.  
(Ord. 5268 § 2 (part), 2000)

#### **18.30.030 MITIGATION FEE -- DEVELOPMENT PERMITS.**

No development permit for or real property located within the City shall be issued or approved without payment of the mitigation fee. Except as otherwise provided in Sections 18.30.040 and 18.30.050, each applicant for a development permit shall pay a mitigation fee of five hundred fifty dollars per gross acre (or portion thereof) that is included within any parcel to be developed and any additional area to be disturbed for related off-site improvements.  
(Ord. 5268 § 2 (part), 2000)

#### **18.30.040 MITIGATION FEE -- EXCEPTIONS**

. The following types of development are not required to pay the mitigation fee:

- (A) Reconstruction of any structure damaged or destroyed by fire or other natural causes;
  - (B) Rehabilitation or remodeling of existing structures or existing off- site improvements; or
  - (C) Any land disturbance by the City for a governmental purpose.
- (Ord. 5268 § 2 (part), 2000)

#### **18.30.050 MITIGATION FEE -- ADJUSTMENTS.**

In the following cases, the mitigation fee shall be adjusted as indicated:

- (A) For any development concerning which the developer previously has paid mitigation-related fees pursuant to a consultation under Section 7 of the Federal Endangered Species Act, the mitigation fee shall be reduced by the amount of any Section 7 fees actually paid to the federal government.

- (B) For single-family residential development and manufactured housing on lots two gross acres in size or greater, where less than one-quarter of an acre of the property is graded or otherwise disturbed, with the balance of the property left in its natural condition, the mitigation fee shall be one hundred thirty-seven dollars and fifty cents. Where more than one-quarter acre but less than one-half acre is graded or otherwise disturbed, and the balance of the property is left in its natural condition, the fee shall be two hundred seventy-five dollars. Where more than one-half acre is graded or otherwise disturbed by the construction, the fee shall be five hundred fifty dollars per acre for each acre (or fraction thereof greater than one-half) which is graded or otherwise disturbed.
- (C) For freestanding off-premises signs, communication towers and similar structures that are unoccupied except for maintenance, where less than one-quarter of an acre of the property is graded or otherwise disturbed, the mitigation fee shall be one hundred thirty-seven dollars and fifty cents. Where more than one-quarter but less than one-half acre is graded or otherwise disturbed, the fee shall be two hundred seventy-five dollars. Where more than one-half acre is graded or otherwise disturbed by the construction, the fee shall be two hundred fifty dollars per acre for each acre (or fraction thereof greater than one-half) which is graded or otherwise disturbed.
- (D) Where a development permit has been issued previously and has expired, the applicant for a new development permit on the same parcel shall pay the mitigation fee required by the current version of this Chapter less any amount previously paid under this Chapter or its predecessor.

(Ord. 5268 § 2 (part), 2000)

#### **18.30.060 DEVELOPMENT PERMIT -- LAND DISTURBANCE REPORT REQUIRED.**

Each applicant for a development permit shall, prior to issuance thereof, complete a land disturbance report on the forms furnished by City departments responsible for issuing development permits. The land disturbance report must be complete, be signed by the applicant and contain at a minimum the following information: assessor's parcel number(s), number of acres within the parcel and the area to be disturbed by related off-site improvements, and the amount of any mitigation fee(s) actually paid.

(Ord. 5268 § 2 (part), 2000)

#### **18.30.070 DEVELOPMENT PERMIT -- PROCESSING FEE.**

Each applicant for a development permit shall pay to the City department responsible for the issuance of a development permit a processing fee of twenty-five dollars per residential development permit and fifty dollars per commercial development permit.

(Ord. 5268 § 2 (part), 2000)

**18.30.080 MITIGATION FEE -- COLLECTION AND DEPOSIT TO SPECIAL RESERVE FUND.**

All mitigation fees collected pursuant to the provisions of this Chapter shall be transmitted on a monthly basis, pursuant to an interlocal agreement, for deposit into a special reserve fund. That fund, including interest and other income which accrues thereto, shall be expended solely for the implementation of the terms of the Multiple Species Habitat Conservation Plan and associated Section 10(a) permits, as those documents currently exist or as they may hereafter be amended or issued.

(Ord. 5268 § 2 (part), 2000)

**18.30.090 MITIGATION FEE -- REAL PROPERTY ACCEPTANCE IN LIEU OF PAYMENT.**

After approval by the U.S. Fish and Wildlife Service and the City Council, and upon compliance with any applicable statutory or charter provisions, the City or its designee may accept real property or interests therein in lieu of the payment of mitigation fees. The fair market value of such real property must equal or exceed the amount of the mitigation fees otherwise required to be paid.

(Ord. 5268 § 2 (part), 2000)

**18.30.100 COMPLIANCE WITH PROVISIONS.**

(A) Any person, firm or entity that engages in any activity within the City which is covered by the Multiple Species Habitat Conservation Plan, including residential and commercial development, agriculture, mining, grazing, and off-highway vehicle activities shall comply with the provisions of the following, all of which are on file in the offices of the City Clerk and the Planning and Development Department:

- (1) This Chapter;
- (2) The Multiple Species Habitat Conservation Plan;
- (3) The Implementing Agreement; and
- (4) Any Section 10(a) permit issued in connection therewith.

(B) Any person, firm or entity (including any agent or employee) that complies with the provisions of this Chapter is permitted to incidentally take any species for which a Section 10(a) permit has been issued in favor of the City so long as that person, firm or entity has complied and continues to comply with the provision of the Multiple Species Habitat Conservation Plan, the Implementing Agreement, and any Section 10(a) permit issued in connection therewith.

- (C) Any person, firm or entity that is not required to pay a mitigation fee pursuant to this Chapter, but which is otherwise in compliance with the provisions of this Chapter, the Multiple Species Habitat Conservation Plan, the Implementing Agreement, and any Section 10(a) permit issued in connection therewith, is permitted to incidentally take any species covered by the Multiple Species Habitat Conservation Plan and for which a Section 10(a) permit has been issued in favor of the City.
- (D) The City is authorized to immediately revoke the permission granted to any person, firm or entity pursuant to Subsections (B) or (C), without additional action or notice, if that person, firm or entity ceases to be in compliance with Subsections (A), (B) or (C) of this Section.

(Ord. 5268 § 2 (part), 2000)

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